

 ORIGINAL

STATE OF SOUTH CAROLINA
IN THE COURT OF APPEALS

Appeal from Charleston County
The Honorable J.C. Buddy Nicholson, Jr., Circuit Court Judge
Appellate Case No. 2015-000636

THE STATE,

RESPONDENT,

V.

TIMOTHY JAMES WRIGHT,

APPELLANT

RECORD ON APPEAL

ROBERT M. DUDEK
Chief Appellate Defender

ALAN WILSON
Attorney General

South Carolina Commission on Indigent Defense
Division of Appellate Defense
Post Office Box 11589
Columbia, SC 29211- 1589
(803) 734-1330

JOHN W. MCINTOSH
Chief Deputy Attorney General

DONALD J. ZELENKA
Senior Assistant Deputy Attorney General

KRISTY GOLDBERG

Law Office of Kristy Goldberg
1720 Main Street, Suite 303
Columbia, SC 29201
(803) 667-6633

ALPHONSO SIMON, JR.
Assistant Attorney General
Office of the Attorney General
PO Box 11549
Columbia, SC 29211

Attorneys for Appellant

SCARLETT A. WILSON
Solicitor, Ninth Judicial Circuit
101 Meeting Street, Suite 400
Charleston, South Carolina 29401

Attorneys for Respondent

RECEIVED
JUL 12 2016
SCC Court of Appeals

INDEX

INDEX	i
TRIAL TRANSCRIPT DATED FEBRUARY 2-5, 2015	1
TESTIMONY	
K. JENKINS	
Direct Examination by Ms. Shealy.....	2
Cross Examination by Mr. Smith.....	35
LEONARD MAXWELL	
Direct Examination by Ms. Shealy.....	38
Cross Examination by Mr. Smith.....	43
CHRISSHON FORD-HAYWARD	
Direct Examination by Ms. Shealy.....	45
KATE FORD	
Direct Examination by Ms. Shealy.....	50
PATRICK MURPHY	
Direct Examination by Ms. Shealy.....	52
THOMAS BUCKHANNON	
Direct Examination by Mr. Corvey.....	55
JEFFREY PHILLIPS	
Direct Examination by Mr. Corvey.....	58
MATTHEW COLBURN	
Direct Examination by Mr. Corvey.....	73
Redirect Examination by Mr. Corvey.....	81
MATTHEW ADAMS	
Direct Examination by Ms. Shealy.....	82
KATHY KJELLMAN	
Direct Examination by Ms. Shealy.....	90
CYNTHIA SCHANDL	
Direct Examination by Ms. Shealy.....	97
Cross Examination by Mr. Smith.....	106

TIMOTHY WRIGHT

Direct Examination by Mr. Smith.....	107
Cross Examination by Ms. Shealy.....	123
Redirect Examination by Mr. Smith.....	160
INSTRUCTION TO JURY.....	162
VERDICT.....	163
SENTENCING HEARING.....	165
SENTENCE OF THE COURT.....	185
SENTENCING SHEETS.....	188
INDICTMENTS	190
CERTIFICATE OF COUNSEL.....	194

STATE OF SOUTH CAROLINA	)	COURT OF GENERAL SESSIONS
	)	NINTH JUDICIAL CIRCUIT
COUNTY OF CHARLESTON	)	
	)	
State of South Carolina,	)	CASE NO. 2013-GS-10-03170
	)	2013-GS-10-03172
	)	
PLAINTIFF,	)	
	)	
VS.	)	TRANSCRIPT OF RECORD
	)	
Timothy James Wright,	)	
	)	
DEFENDANT.	)	

February 2-5, 2015

Charleston, South Carolina

B E F O R E:

The Honorable J. C. Buddy Nicholson, Jr., Judge; and Jury.

A P P E A R A N C E S:

Jennifer Shealy, Esquire
 Ted Corvey, Esquire
 For the Plaintiff

Ted Smith, Esquire
 Martha Kent Runey, Esquire
 For the Defense

Phyllis Norton, CVR, *Nationally Certified Verbatim Court Reporter*
 636 Long Point Road, Unit G, #74, Mt. Pleasant, South Carolina 29464
 PNorton@sccourts.org

1 in. But that is really why you all are here; you are here
2 to decide these things that we cannot agree on.

3 Before this trial ends you are going to see my client,
4 Timothy Wright, sit on that witness stand. He is going to
5 tell you what happened that night, how things happened that
6 night, and he is going to tell you why he made the decisions
7 he made.

8 After you hear all of that I am going to come back and
9 ask you to find Timothy Wright not guilty.

10 Thank you.

11 THE COURT: Solicitor, do you want to call your first
12 witness?

13 MS. SHEALY: Yes, Kadasha J.

14 (WHEREUPON, witness was duly sworn.)

15 THE CLERK: State your name into the microphone and
16 spell your last name for the record.

17 MS. JENKINS: Kadasha J.

18 **DIRECT EXAMINATION BY MS. SHEALY OF** Kadasha J. :

19 Q. Now you tell me if you need any water or anything,
20 Kadasha; okay? Would you please tell the jury how old you
21 are.

22 A. Seventeen.

23 Q. And back on February 16th of 2013 you were how old?

24 A. Fifteen.

25 Q. Where do you go to school?

- 1 A. St. Johns High School.
- 2 Q. And you need to speak up a little bit for us, okay,
3 because everybody in the jury needs to hear you and the
4 court reporter needs to write everything done; okay. So
5 will you talk a little bit louder for me?
- 6 A. (Witness nods.)
- 7 Q. What school do you go to?
- 8 A. St. Johns High School.
- 9 Q. And what grade are you in?
- 10 A. Tenth grade.
- 11 Q. And what area of town are you living in now?
- 12 A. Johns Island.
- 13 Q. And are you still living in the same home that you were
14 living in when this happened?
- 15 A. No, ma'am.
- 16 Q. Okay. Did y'all have to move?
- 17 A. Yes, ma'am.
- 18 Q. Now tell us a little bit about your family. Your
19 mother was Melinda Ford?
- 20 A. Yes, ma'am.
- 21 Q. Tell the jury what your sister's name is.
- 22 A. Chrisshon Ford Taylor.
- 23 Q. And how old is Chrisshon?
- 24 A. Twenty-one.
- 25 Q. And then you have a little brother?

- 1 A. Yes, ma'am.
- 2 Q. And what is his name?
- 3 A. Davion Moultrie.
- 4 Q. Okay. And how old is Davion now?
- 5 A. Eight.
- 6 Q. And at the time he was six?
- 7 A. Yes, ma'am.
- 8 Q. Who do you live with right now?
- 9 A. My sister Chrisshon.
- 10 Q. And Davion is living with his father now?
- 11 A. Yes, ma'am.
- 12 Q. But at the time that this happened y'all all lived
- 13 together as a family; is that correct?
- 14 A. Yes, ma'am.
- 15 Q. Does Chrisshon work?
- 16 A. Yes, ma'am.
- 17 Q. Where does she work?
- 18 A. On KiawaH and on West Ashley.
- 19 Q. Okay. And do you know what kind of work she does?
- 20 A. She is a massage therapist.
- 21 Q. Okay. And she does that on Kiawah ---
- 22 A. And ---
- 23 Q. --- and in West Ashley?
- 24 A. Uh-huh.
- 25 Q. What was the address where y'all lived in February of

- 1 2013?
- 2 A. 3740 Betsy Kerrison Parkway.
- 3 Q. And how long had y'all lived in that home?
- 4 A. For like six years.
- 5 Q. Six years?
- 6 A. Yes, ma'am.
- 7 Q. What is your grandmother's name, your mother's mother?
- 8 A. Kate Ford.
- 9 Q. And what do you call her?
- 10 A. Momma.
- 11 Q. You call her Momma, okay. And do you know how old
- 12 Momma is?
- 13 A. Seventy.
- 14 Q. Where did she live in relationship to where you lived
- 15 at the time; how far away?
- 16 A. Like two minutes away.
- 17 Q. Okay. Would y'all get in a car to drive over there?
- 18 A. Yes, ma'am.
- 19 Q. How old was your mother when she died?
- 20 A. Thirty-six.
- 21 Q. Thirty-six or thirty-seven?
- 22 A. (No response.)
- 23 Q. Where did she work?
- 24 A. At this place called Newton Farms.
- 25 Q. Okay. And it may just be me, but I am still going to

1 need you to talk up just a little bit.

2 THE COURT: Hold on just a second. Would one of these
3 bailiffs please come move this microphone closer to her --
4 to her where we can hear her, please.

5 (WHEREUPON, microphone was adjusted.)

6 THE COURT: All right. Ms. Jenkins, if you would just
7 lean forward and talk into the microphone. And it may sound
8 to you like you are yelling, okay; but please talk loud.
9 Thank you very much. Please proceed.

10 BY MS. SHEALY:

11 Q. Okay. So Kadasha, where did your mom work at that
12 time?

13 A. Newton Farms.

14 Q. And was Newton Farms located at that Kiawah shopping
15 center?

16 A. Yes, ma'am.

17 Q. And was it kind of a fancy Piggly Wiggly?

18 A. Yes, ma'am.

19 Q. Okay. Had your mother worked there for a long time?

20 A. Yes, ma'am.

21 Q. And had she also worked at Piggly Wiggly previously?

22 A. Yes, ma'am.

23 Q. What did she do there; do you know?

24 A. She worked in the deli.

25 Q. In the deli. Now Timothy Wright, back when this

1 happened did you think his last name was Williams?

2 A. Yes, ma'am.

3 Q. Okay. But you know now that it is Timothy Wright; ---

4 A. Yes, ma'am.

5 Q. --- is that right?

6 A. Uh-huh.

7 Q. And how long had he been living in your home with you
8 and your mother and your sister and your brother before the
9 happened?

10 A. For like five months.

11 Q. About five months. As you understood it, were he and
12 your mother boyfriend, girlfriend?

13 A. Yes, ma'am.

14 Q. And did you know him to be a hunter?

15 A. Yes, ma'am.

16 Q. Did he spend a lot of his time hunting?

17 A. At the beginning he ---

18 Q. At the what?

19 A. At the beginning.

20 Q. Okay. Let's focus your attention then on February
21 16th. If you would please tell the jury what were you
22 planning on doing that day.

23 A. I was going shopping for my little cousin's birthday
24 party.

25 Q. Okay. And when was that birthday going to take place?

- 1 A. The Saturday after the incident happened.
- 2 Q. Was there something particular that y'all were supposed
- 3 to wear or dress like?
- 4 A. The color theme was blue.
- 5 Q. Okay. And did you in fact go shopping?
- 6 A. Yes, ma'am.
- 7 Q. Who went with you?
- 8 A. Me and my mom and my grandma.
- 9 Q. Okay. And whose vehicle did y'all go in?
- 10 A. My mom's.
- 11 Q. Where did y'all go shopping?
- 12 A. We went to the Tanger Outlet and we went to City
- 13 Trends.
- 14 Q. City Trends. And did y'all kind of spend the afternoon
- 15 doing shopping?
- 16 A. Yes, ma'am.
- 17 Q. Did y'all go any place other than City Trends and
- 18 Tanger Outlet; did y'all go to a grocery store or ---
- 19 A. We went to the Piggly Wiggly and to the Chinese
- 20 restaurant.
- 21 Q. And why did you go to the Chinese restaurant?
- 22 A. My grandma said that she wasn't cooking, so she wanted
- 23 Chinese.
- 24 Q. Okay. Did you and your mother buy anything while y'all
- 25 were out for dinner for y'all?

- 1 A. No, ma'am.
- 2 Q. Did y'all buy any crabs while y'all were out?
- 3 A. Yes, ma'am.
- 4 Q. Now where do you buy those?
- 5 A. This place called Ravenel Seafood.
- 6 Q. And did y'all do that while you were out with your
- 7 grandmother?
- 8 A. Yes, ma'am.
- 9 Q. And were y'all going to have the crabs that evening?
- 10 A. Yes, ma'am.
- 11 Q. Did you grandmother buy anything while she was out with
- 12 y'all?
- 13 A. No, ma'am.
- 14 Q. Okay. So just you and your mom were shopping for
- 15 clothes and jewelry and stuff?
- 16 A. Yes, ma'am.
- 17 Q. Now when y'all are going home did you take your
- 18 grandmother over to your house or did you take her to her
- 19 house?
- 20 A. We went to her house.
- 21 Q. And after that did y'all go straight to your house?
- 22 A. Yes, ma'am.
- 23 Q. Okay. Where did the -- where does your grandmamma
- 24 live; do you know the name of the road?
- 25 A. Pumpkin Hill Road.

1 Q. Pumpkin Hill Road?

2 A. Uh-huh.

3 Q. When you got home who unpacked your car?

4 A. Me and my mom.

5 Q. And did y'all discover anything in the car that you had
6 a realization about?

7 A. My grandma's Chinese food.

8 Q. So when you went in the house what did y'all do with
9 the bags that you had bought while you were shopping?

10 A. We separated it so we could know who was -- who goes
11 with who.

12 Q. Whose clothes were whose?

13 A. Uh-huh.

14 Q. When you got there did you realize when you drive up
15 that -- that Timothy Wright was at the house?

16 A. Yes, ma'am.

17 Q. How did you realize that; what did you see?

18 A. His car.

19 Q. Okay. And when your mother got in the house did she go
20 to the kitchen and pour a glass of wine?

21 A. Yes, ma'am.

22 Q. What was it about the -- well, let me see if I can --
23 (opening exhibit). Was this the little jar she poured it
24 in?

25 A. Yes, ma'am.

1 Q. And what was this jar before it was used to drink wine?

2 A. An orange jar.

3 Q. Like for mandarin oranges?

4 A. Yes, ma'am.

5 Q. Okay. So your mother poured this, and where did she go
6 inside the house?

7 A. She went inside the room.

8 Q. And let me show you some pictures. Let's kind of go
9 through your house a little bit. I am showing you State's
10 Exhibit 1.

11 THE COURT: Before we put that up, ladies and gentlemen
12 of the jury, the parties have agreed that Exhibits 1 through
13 54 are going to be admitted without objection except for
14 Number 33; Number 141, and 179 and 30, 31, and 32 have been
15 withdrawn.

16 So the exhibits you are getting ready to look at have
17 been -- the parties have agree that they -- admitted into
18 evidence and the court so finds. Please proceed. And that
19 mason jar was number ...?

20 MS. SHEALY: Oh, yes, I'm sorry. That was State's
21 Exhibit 145.

22 THE COURT: One forty-five. Okay. So thank you very
23 much.

24 BY MS. SHEALY:

25 Q. So in just a second a photo is going -- can you see

- 1 that in front of you on your screen?
- 2 A. Uh-huh.
- 3 Q. Can you point out to the jury what that shows?
- 4 A. That is my house where my mom got shot.
- 5 Q. Okay. And that's where you lived?
- 6 A. Yes, ma'am.
- 7 Q. Can you take your finger and circle your home.
- 8 A. (Witness complied.)
- 9 Q. Okay. And then beyond that red circle is that another
- 10 home over there?
- 11 A. Yes, ma'am.
- 12 Q. And that -- just neighbors just lived there?
- 13 A. Yes, ma'am.
- 14 Q. Okay. So let me show you how -- so we are going to
- 15 clear it. Do you see how to clear it if I need you to do
- 16 that?
- 17 A. (Witness nods.)
- 18 Q. Okay. I am showing you State's Exhibit 2. It is just
- 19 a little bit closer shot. And that reflects your house and
- 20 the neighbor's house; is that correct?
- 21 A. Yes, ma'am.
- 22 Q. Okay. Now in that picture a car is parked outside one
- 23 entrance to your -- there is a white car parked in that
- 24 photograph. How did y'all park that night that you
- 25 remember?

- 1 A. She parked just like (pointing).
2 Q. Just about right there (pointing)?
3 A. Yes, ma'am.
4 Q. Was Mr. Wright's vehicle there when you got home?
5 A. Yes, ma'am.
6 Q. And can you show us on that diagram where it was
7 parked? You might can just kind of draw it.
8 A. (Witness complied.)
9 Q. Okay. And which way was it facing? Point.
10 A. (Witness complied.)
11 Q. It was pointing that way. Which way was your mother's
12 vehicle facing?
13 A. (Witness complied by pointing on diagram.)
14 Q. Okay. Now will you hit that clear button for me.
15 A. (Witness complied.)
16 Q. I am showing you State's Exhibit Number 5. Just a
17 little clearer shot closer into your home. Are those the
18 stairs that y'all would have gone up to get into your house
19 that evening?
20 A. Yes, ma'am.
21 Q. I am showing you State's Exhibit 34. Those are the
22 steps you walk up?
23 A. Yes, ma'am.
24 Q. And then State's Exhibit 35 is this showing the kitchen
25 when you walk in that door?

- 1 A. Yes, ma'am.
- 2 Q. I am showing you State's Exhibit 36. What is that
- 3 showing us; what area of the house is that leading to?
- 4 A. That is the kitchen and the living room.
- 5 Q. Okay. Point to the living room for us.
- 6 A. (Witness complied.)
- 7 Q. And in looking at this photograph which way is your
- 8 bedroom?
- 9 A. (Witness pointing.)
- 10 Q. And which way is your mother's bedroom?
- 11 A. (Witness pointing.)
- 12 Q. I am showing you 37. How about hit that clear button
- 13 for me.
- 14 A. (Witness complied.)
- 15 Q. In looking at this photograph over near that crock pot
- 16 can you show the where your washing machine and dryer are?
- 17 A. (Witness complied by indicating.)
- 18 Q. And in fact are the crabs that y'all bought that day
- 19 shown in this picture?
- 20 A. Yes, ma'am.
- 21 Q. Could you circle those?
- 22 A. (Witness complied.)
- 23 Q. Hit clear for me.
- 24 A. (Witness complied.)
- 25 Q. I am showing you State's 38. Does this show us the

- 1 door for your mother's bedroom?
- 2 A. Yes, ma'am.
- 3 Q. And will you just point to that door for us.
- 4 A. (Witness complied.)
- 5 Q. Okay. So after you and your mother kind of divided up
- 6 the clothing where did you go?
- 7 A. Inside my room.
- 8 Q. And did you put the clothing up in your room?
- 9 A. Yes, ma'am.
- 10 Q. I'm showing you State's Exhibit 40. Whose bedroom is
- 11 this?
- 12 A. My mom's.
- 13 Q. And those black garbage bags on the bed, we will talk
- 14 about those in just a second, okay. State's Exhibit 41,
- 15 this is the living room area?
- 16 A. Yes, ma'am.
- 17 Q. And State's Exhibit 42, where is your room in this
- 18 picture?
- 19 A. This direction (pointing).
- 20 Q. And 43?
- 21 A. (Witness pointing.)
- 22 Q. Is that your little brother's bicycle in that room?
- 23 A. Yes, ma'am.
- 24 Q. State's Exhibit 44, whose messy room is that?
- 25 A. Mine.

- 1 Q. Okay. And looking at that photograph do you see any of
2 the bags of the clothing that y'all had bought that day?
- 3 A. Yes, ma'am.
- 4 Q. Where -- where is that?
- 5 A. (Witness pointing.)
- 6 Q. Okay. So you are bringing your clothes back into your
7 room. And then you have to start some laundry?
- 8 A. Yes, ma'am.
- 9 Q. Did you wash your own clothes?
- 10 A. Yes, ma'am.
- 11 Q. Okay. Tell us if anything drew your attention from
12 your mother's bedroom; what did you start hearing?
- 13 A. I started hearing Timmy scream.
- 14 Q. Okay. And could you make out what was being said or
15 just how loud it was being said?
- 16 A. It was just how loud.
- 17 Q. Did you hear your mother's voice as well?
- 18 A. No, ma'am.
- 19 Q. And after you -- when you heard that were you back in
20 your room or were you in the kitchen?
- 21 A. I was in the kitchen.
- 22 Q. And what is the next thing that happens after you hear
23 that loudness?
- 24 A. I saw Timmy open the door and he comes inside the
25 kitchen and says he is done.

1 Q. Okay. So I am showing you State's 38 again. He comes
2 out of which room?

3 A. (Witness pointing.)

4 Q. And where are you approximately?

5 A. Right there (pointing). In between the kitchen and the
6 living room.

7 Q. And the living room, okay. When he said -- what did he
8 say, again?

9 A. I'm done.

10 Q. And did he say it quietly like you're saying it, or did
11 he say it in a different way?

12 A. He said it in a different way.

13 Q. Was he saying -- did it appear that he was saying it
14 towards you or towards your mother?

15 A. To my mom.

16 Q. What happens after he said that?

17 A. He got -- he went inside the cabinet and got some black
18 trash bags.

19 Q. And what did you see him doing?

20 A. Packing up stuff.

21 Q. Okay. Was he packing stuff up in their bedroom or for
22 other areas of the house as well?

23 A. In their bedroom.

24 Q. What were you doing as he was going around the house
25 doing that?

- 1 A. Washing clothes.
- 2 Q. Where was your mom?
- 3 A. Inside the room.
- 4 Q. Did you go back to ask her what was going on or
- 5 anything?
- 6 A. No, ma'am.
- 7 Q. At that point were you nervous or anything?
- 8 A. No, ma'am.
- 9 Q. Okay. What is the next thing that happens?
- 10 A. I went inside -- I went back inside my room.
- 11 Q. Okay. And did you have a conversation with your mother
- 12 about where she was going to go?
- 13 A. Yes, ma'am.
- 14 Q. And where was she going to go?
- 15 A. She was going back to my grandma's house to take her
- 16 her Chinese food.
- 17 Q. Do you know whether or not Timothy had already left the
- 18 house at that point?
- 19 A. No, ma'am.
- 20 Q. What is the next thing that you hear?
- 21 A. I heard my mom scream.
- 22 Q. And was there something about her scream that startled
- 23 you?
- 24 A. Yes, ma'am, she screamed very loud.
- 25 Q. Okay. And how did you react when you heard that?

- 1 A. It made me jump.
- 2 Q. Before she walked out of the door did you see her
- 3 gather anything together to take outside?
- 4 A. Her keys.
- 5 Q. Okay.
- 6 A. Her ---
- 7 Q. I'm sorry.
- 8 A. Her keys, her phone, and her glass of wine.
- 9 Q. When y'all noticed that the Chinese food was in the
- 10 car, you left it in the car or you brought it in?
- 11 A. I left it in the car.
- 12 Q. Okay. So she told you she was heading to take that to
- 13 your grandmothers?
- 14 A. Uh-huh.
- 15 Q. After you hear your mother's scream what is the next
- 16 thing that you hear?
- 17 A. A gunshot.
- 18 Q. And what did you -- you can clear that picture for me.
- 19 A. (Witness complied.)
- 20 Q. What did you do after you heard that?
- 21 A. I ran to the back door.
- 22 Q. Okay. What did you see when you ran to the back door,
- 23 Kadasha?
- 24 A. I saw Timothy standing over my mom.
- 25 Q. Standing over your mother. Showing you State's

1 Exhibit 5. You walked out that back door?

2 A. Yes, ma'am.

3 Q. And is that how your mother's car was parked that
4 night?

5 A. Yes, ma'am.

6 Q. Do you remember what Timothy had on?

7 A. He had on a white shirt, some Nike slacks, and a
8 camouflage shirt.

9 Q. Camouflage shirt?

10 A. Jacket.

11 Q. Jacket. Okay. Did you get a look at the gun at that
12 point?

13 A. Yes, ma'am.

14 Q. When he was standing over -- may I get permission for
15 her to come and approach the jury, please?

16 THE COURT: Yes, ma'am.

17 Q. Can you step down for me, Kadasha.

18 A. (Witness complied by stepping down in front of jury
19 box.)

20 Q. First, let me ask you. I'm showing you what has been
21 marked as State's Exhibit 143. Do you recognize that?

22 A. Yes, ma'am.

23 MS. SHEALY: Your Honor, this weapon has been locked by
24 security.

25 THE COURT: Let me see it.

1 (WHEREUPON, exhibit, gun, given to Court for examination.)
2 THE COURT: Okay.
3 (WHEREUPON, exhibit returned to Ms. Shealy.)
4 MS. SHEALY: May I remove the lock, Your Honor?
5 THE COURT: Yes, ma'am, take it out of that box.
6 MS. SHEALY: (Complied.)
7 BY MS. SHEALY:
8 Q. Let me do it this way. Kadasha, is this the weapon
9 Timmy Wright had in his hand?
10 A. Yes, ma'am.
11 Q. Okay. I need you to stand over here, please, and look
12 towards the jury. Can you show the jury, without pointing
13 it, how he held it.
14 A. How he held it?
15 Q. Yes. If I am you, what did he do with the gun?
16 A. He would (inaudible.)
17 Q. He would shoot me?
18 THE COURT REPORTER: I can't hear her.
19 THE COURT: Speak up.
20 Q. Let's turn this way so she can hear -- oh, well, let's
21 just do it that way, okay. What did he say?
22 A. He said he will shoot me.
23 Q. And then when he said that, where was he standing in
24 relationship to your mother?
25 A. In front of the porch.

- 1 Q. You are going to have to talk a lot louder.
- 2 A. In front of the porch.
- 3 Q. Okay. Did you see him do anything else with the weapon
- 4 towards your mother?
- 5 A. He was standing around her.
- 6 Q. Okay. Your mother is down on the ground at that point?
- 7 A. Yes, ma'am.
- 8 Q. Would you please hold this and show the jury how he did
- 9 that.
- 10 A. (Witness complied.)
- 11 Q. And what if anything did he say when he did that?
- 12 A. Huh, huh, huh.
- 13 Q. Do it a little bit louder for me.
- 14 A. Huh, huh, huh.
- 15 Q. And with the gun what was he doing?
- 16 A. Holding it towards her.
- 17 Q. Okay. You can go ahead and take your seat.
- 18 A. (Witness complied.)
- 19 Q. After he did that, what did you do?
- 20 A. I ran next-door to my next-door neighbor's house.
- 21 Q. And why did you run over there?
- 22 A. Because I wanted him to call the ambulance.
- 23 Q. Before you ran there had you looked for a phone at your
- 24 house?
- 25 A. Yes, ma'am.

- 1 Q. So right after Timothy did that, did you go back into
2 your house?
- 3 A. Yes, ma'am.
- 4 Q. And what were you looking for?
- 5 A. A phone.
- 6 Q. And what did you want to do with the phone?
- 7 A. Call 911.
- 8 Q. When you couldn't find one and you came back outside
9 which way did you go?
- 10 A. (Pointing on screen.)
- 11 Q. And was there anyone home at the mobile home across
12 from yours?
- 13 A. Yes, ma'am.
- 14 Q. What did you ask of them?
- 15 A. I asked them can they call 911.
- 16 Q. And what had they already done?
- 17 A. They were already on the phone with them.
- 18 Q. And when you say they, how many people were over there
19 that you could tell?
- 20 A. Two.
- 21 Q. And were they two males, two females; what?
- 22 A. Two males.
- 23 Q. And they were already on 911?
- 24 A. Yes, ma'am.
- 25 Q. What did you then do, once you knew they were on 911;

- 1 where did you go?
- 2 A. I turned around and I saw Timmy on the ground.
- 3 Q. He was on the ground?
- 4 A. Yes, ma'am.
- 5 Q. Had you heard anything else before that happened?
- 6 A. I heard another gunshot.
- 7 Q. And when he was on the ground where was he in
- 8 relationship to your mother?
- 9 A. Next to her.
- 10 Q. I am showing you State's Exhibit Number 10. Would you
- 11 hit that clear button for me, Kadasha. I'm sorry to have to
- 12 show you that, but is that where your mother was lying where
- 13 that sheet is over?
- 14 A. Yes, ma'am.
- 15 Q. Where was Timmy in relationship to her, if you remember
- 16 specifically?
- 17 A. (Pointing.)
- 18 Q. And you had already heard one more shot?
- 19 A. Yes, ma'am.
- 20 Q. What did you do then?
- 21 A. And then ran back over.
- 22 Q. Ran back over where?
- 23 A. To the house.
- 24 Q. Why were you going back over to the house?
- 25 A. I don't remember.

- 1 Q. You don't remember. Was all of this happening pretty
2 quickly?
- 3 A. Yes, ma'am.
- 4 Q. What is the next thing that you do specifically
5 remember doing; do you hear anything else?
- 6 A. No, ma'am.
- 7 Q. Do you remember whether you heard a third shot?
- 8 A. I don't remember.
- 9 Q. Okay. Well, tell us what did Timmy do; what did you
10 see Timmy do?
- 11 A. I saw him. He got up.
- 12 Q. And what did he do when he got up?
- 13 A. He ran to the car and he drove off.
- 14 Q. Did you do anything with that gun before he drove off?
- 15 A. Yes, ma'am.
- 16 Q. What did you do?
- 17 A. I removed it from where they were. I moved it back.
- 18 Q. Moved it back. Do you remember which way you moved it?
- 19 A. Just behind.
- 20 Q. Can you show us on that?
- 21 A. (Witness complied.)
- 22 Q. Just moved it there?
- 23 A. Yes, ma'am.
- 24 Q. Why did you do that?
- 25 A. I don't remember.

- 1 Q. Okay. Well, were you trying to get away from them ---
- 2 A. Yes, ma'am.
- 3 Q. --- from him?
- 4 A. Yes, ma'am.
- 5 BY MS. SHEALY: Beg the court's indulgence.
- 6 Q. You had mentioned before that he had on a camouflage
- 7 jacket. I'm showing you State's 165. Well, I tell you
- 8 what, let me show you a photograph of it. First of all, can
- 9 you look in here and see whether that's a camouflage jacket?
- 10 A. Yes, ma'am.
- 11 Q. I'm showing you State's Exhibit 138. I ask you does
- 12 that appear to be the jacket that he had on?
- 13 A. Yes, ma'am.
- 14 Q. Were you able to call 911?
- 15 A. After I came back over and he was gone, I ran over to
- 16 my mom and I digged in her back pocket and called 911.
- 17 Q. You got her phone ---
- 18 A. Yes, ma'am.
- 19 Q. --- out of her pocket? And tell the jury a little bit
- 20 about how frustrated it was. Because did it take a while
- 21 for EMS to get there?
- 22 A. Yes, ma'am.
- 23 Q. And how was that making you feel?
- 24 A. It was making me upset.
- 25 Q. Was your mother able to talk to you?

1 A. No, ma'am.

2 Q. Did it --- where did it appear to you that she had been
3 shot?

4 A. In her chest.

5 Q. And why is that?

6 A. Because when -- when she was laying on the ground she
7 had a gunshot wound right there (pointing).

8 Q. And was it bleeding?

9 A. (Witness nods head.)

10 Q. Just open?

11 A. Yes, ma'am.

12 Q. When you were talking to 911 did they give you
13 instruction as to how to stop the bleeding?

14 A. Yes, ma'am.

15 Q. Okay.

16 MS. SHEALY: Your Honor, at this time we would request
17 to play the 911 recording. It is my understanding without
18 objection.

19 THE COURT: That is not the one you object to?

20 MR. SMITH: That's correct.

21 MS. SHEALY: That's correct.

22 THE COURT: All right. That is fine.

23 Q. While we are waiting for that to come up ---
24 (WHEREUPON, audio started.)

25 MS. SHEALY: Can you hold it just for a second.

1 BY MS. SHEALY:

2 Q. While -- let me just ask you one question. You
3 indicated that he ran back to his car -- his truck and took
4 off; is that right?

5 A. Yes, ma'am.

6 Q. Was there a certain sound that his truck made before he
7 was pulling out that you noticed?

8 A. It was like he made a like he was going -- kind of like
9 he was going back, but then he ended up like speeding off.

10 Q. Okay. Then we are now going to listen to that first
11 911 recording.

12 MS. SHEALY: Your Honor, for the record this is State's
13 140.

14 THE COURT: One what; one forty?

15 MS. SHEALY: One forty.

16 THE COURT: Okay.

17 (WHEREUPON, CD of 911 audio was played, from approximately
18 4:13 p.m. to 4:22 p.m.)

19 BY MS. SHEALY:

20 Q. Okay. So Kadasha, a couple of things. There are some
21 other voices on there. There is a male voice. Was that one
22 of the men who lived in the other mobile home?

23 A. Yes, ma'am.

24 Q. And when there was periods of silence what were you
25 doing; were you with your mother at that point?

- 1 A. I don't remember.
- 2 Q. Okay. Does Chrisshon come on the scene as we are
- 3 listening to that?
- 4 A. Yes, ma'am.
- 5 Q. And Chrisshon is your older sister?
- 6 A. Yes, ma'am.
- 7 Q. And in fact she gets on a 911 call as well, doesn't
- 8 she?
- 9 A. Yes, ma'am.
- 10 Q. Now let's go back for one second.
- 11 (WHEREUPON, CD audio started to play.)
- 12 MS. SHEALY: I am not quite ready for that.
- 13 (WHEREUPON, CD audio was stopped.)
- 14 Q. Let's go back for one second. When you took the gun
- 15 and moved it away from where Timmy and your mother were, do
- 16 you remember what part of the gun you touched?
- 17 A. Like the middle.
- 18 Q. Right in here (pointing)?
- 19 A. Yes, ma'am.
- 20 Q. Okay. And when the 911 dispatcher is telling you to
- 21 put pressure on your mother were you doing that?
- 22 A. Yes, ma'am.
- 23 Q. Okay. And then Chrisshon showed up?
- 24 A. Yes, ma'am.
- 25 Q. I am showing you State's Exhibit 6. Is Chrisshon's

1 automobile in that photograph?

2 A. Yes, ma'am.

3 Q. Where is it?

4 A. (Pointing.)

5 Q. Okay. And whenever Chrisshon came what did she start
6 doing with her mother?

7 A. She took over.

8 Q. And at some point during her 911 call does she hand the
9 phone to you?

10 A. Yes, ma'am.

11 MS. SHEALY: Your Honor, at this time we would like to
12 play from State's Exhibit 141, the portion of that 911 call
13 that Kadasha is on. This is not the one that there is an
14 objection to.

15 THE COURT: Okay.

16 (WHEREUPON, CD audio from Exhibit 141, Part One, was played;
17 approximately 4:24 p.m. to 4:30 p.m.)

18 Q. Okay, Kadasha, so when you took the phone from
19 Chrisshon you were giving the directions to Chrisshon as to
20 what to do to try to save your mother?

21 A. Yes, ma'am.

22 Q. Okay. And you were just repeating what the dispatcher
23 told you?

24 A. Yes, ma'am.

25 Q. When you first saw your mother after you heard the

1 first shot was she down on her back?

2 A. Yes, ma'am.

3 Q. Okay. And that is why you thought she had been shot
4 here (pointing) because you only saw the front?

5 A. Yes, ma'am.

6 Q. Did you ever see her back?

7 A. No, ma'am.

8 Q. And when there are their voices were you also talking
9 to the two guys who lived in the other trailer?

10 A. Yes, ma'am.

11 Q. Tell us about this, did family members start coming
12 over there?

13 A. Not yet.

14 Q. At some point that evening they do?

15 A. Yes, ma'am.

16 Q. And like who was coming?

17 A. Aunts, uncles, sisters.

18 Q. Do a lot of your family live out in that same area?

19 A. Yes, ma'am.

20 Q. And so as the evening progressed there were family
21 members coming to the house?

22 A. Yes, ma'am.

23 Q. I'm showing you what has been marked as State's Exhibit

24 22. Well, actually before that let's do State's Exhibit 17.

25 That is your mother's vehicle; is that right?

- 1 A. Yes, ma'am.
- 2 Q. Can you recognize in that photograph your mother's
- 3 keychain?
- 4 A. Yes, ma'am.
- 5 Q. Where is it located; circle that for me.
- 6 A. (Witness complied.)
- 7 Q. Okay. And then showing a closer up shows of that
- 8 State's 22. There is your mother's keychain?
- 9 A. Yes, ma'am.
- 10 Q. And is that Davion, little picture on the chain?
- 11 A. Yes, ma'am.
- 12 Q. Is that your -- what else -- is that your mother's
- 13 wallet, or is that part of the keychain too?
- 14 A. That is her wallet.
- 15 Q. Her wallet. And these are the items that she took out
- 16 from the house to try to go take the Chinese food back?
- 17 A. Yes, ma'am.
- 18 Q. I am showing you State's 20. I can't tell in that
- 19 photo if the mason jar is in there or not with that light
- 20 shining. Can you see it?
- 21 A. (Pointing.)
- 22 Q. Where?
- 23 A. (Pointing.)
- 24 Q. Oh, okay. And that is the mason jar that she had
- 25 poured the wine?

1 A. Yes, ma'am.

2 Q. Now in that Timmy had gotten in the car and left were
3 you also concerned that he might come back?

4 A. Yes, ma'am.

5 Q. When we were looking at your mother's bedroom earlier,
6 showing you State's Exhibit 40, are those the type of black
7 garbage bags that he started packing his stuff in?

8 A. Yes, ma'am.

9 Q. And while you were out there -- showing you State's
10 Exhibit 27. I'm not sure if you saw it or not; but did you
11 see that black garbage bag out there that evening, or were
12 you not focusing in that area?

13 A. I wasn't focused.

14 Q. Okay. Now the last 911 phone call ends when the police
15 finally get there, right?

16 A. Yes, ma'am.

17 Q. Later after -- there were several policemen that
18 continued to report to the scene; is that right?

19 A. Yes, ma'am.

20 Q. Do you remember a detective, Julius Alexander, an
21 African-American detective?

22 A. Yes, ma'am.

23 Q. Okay. Did you at some point give a statement to him
24 that evening?

25 A. Yes, ma'am.

- 1 Q. And was it in fact a six-page statement?
- 2 A. Yes, ma'am.
- 3 Q. And was he asking you to give the details of what
- 4 happened that evening?
- 5 A. Yes, ma'am.
- 6 Q. Did he ask you if you wanted to write it or if he
- 7 should write it?
- 8 A. He asked me if I wanted to write it, and I told him if
- 9 he was able to write it.
- 10 Q. Why did you want him to write it?
- 11 A. So I could think things through and ---
- 12 Q. And not have to write it at the same time? And that
- 13 was in a vehicle that was right out in between the two
- 14 trailers; is that right?
- 15 A. It was off the road.
- 16 Q. Oh, where was it?
- 17 A. It was in the (pointing.) In here.
- 18 Q. Oh, off Betsy Kerrison?
- 19 A. Yes, ma'am.
- 20 Q. Okay. So let's see. So going back to State's
- 21 Exhibit 1, show what Betsy Kerrison is.
- 22 A. (Witness complied.)
- 23 Q. Okay. And obviously one -- two lanes go one way; two
- 24 lanes go the other?
- 25 A. Yes, ma'am.

1 Q. And so Julius Alexander was parked in that median area
2 and that is where you sat in the car that same evening and
3 gave your statement; ---

4 A. Yes, ma'am.

5 Q. --- is that correct?

6 A. Yes, ma'am.

7 Q. And you told us today what you told Julius Alexander
8 the night in question?

9 A. Yes, ma'am.

10 MS. SHEALY: I beg the court's indulgence just a
11 moment.

12 THE COURT: Yes, ma'am.

13 BY MS. SHEALY:

14 Q. Kadasha, I am finished with my questions. The defense
15 is going to answer -- ask you some. So answer the questions
16 from them, okay. Thank you.

17 THE COURT: Mr. Smith, cross-examination.

18 MR. SMITH: Thank you, Your Honor.

19 **CROSS-EXAMINATION BY MR. SMITH OF** Kadasha J. :

20 Q. Good afternoon, Ms. Kadasha . I just have a few
21 questions for you. Going back in time to the day this
22 happened did -- when you got to the house that day did you
23 speak at all to Timothy?

24 A. I don't remember.

25 Q. You don't remember. Do you remember if he ever gave

1 Q. Okay. I want to just make sure that I am kind of clear
2 on when you heard certain things, okay. As far as where
3 were you when you heard the first shot?

4 A. I was in the house.

5 Q. You were inside the house. Were you -- which portion
6 of the house were you in?

7 A. I was inside my room.

8 Q. Inside your room. And did you immediately come out?

9 A. Yes, sir.

10 Q. And after you came outside do you remember where you
11 went from there?

12 A. I went to the next-door neighbor's house.

13 Q. You went directly to the neighbor's house?

14 A. Yes, sir.

15 Q. Okay. And was it at that time that you heard the
16 second shot?

17 A. Yes, sir.

18 Q. And then did you tell the solicitor that you weren't
19 sure if you heard two or three shots?

20 A. I didn't -- I wasn't sure about the third shot. I
21 don't remember that.

22 Q. Okay. When you were at the neighbor's and you heard
23 the second shot was that when you came back to your
24 place ---

25 A. Yes, sir.

- 1 Q. --- or did you stay at the house?
- 2 A. I think I -- I can't remember.
- 3 Q. You don't remember?
- 4 A. No.
- 5 Q. Okay. You said that you saw Timmy laying on the ground
- 6 by your mother; is that correct?
- 7 A. Yes, sir.
- 8 Q. And were you able to see that he had been shot at that
- 9 time as well?
- 10 A. I don't
- 11 Q. No? When did you realize that he had been shot?
- 12 A. When I heard the second gunshot.
- 13 Q. So you didn't actually see anything, you just assumed
- 14 that he had ---
- 15 A. Yes, sir.
- 16 Q. --- shot himself?
- 17 A. Yes, sir.
- 18 Q. When you first went outside and did you immediately go
- 19 over to your mother or did you go straight to the neighbor's
- 20 house?
- 21 A. I went straight to the neighbor's.
- 22 Q. Did you see your mother right at the beginning?
- 23 A. When he shot her?
- 24 Q. Uh-huh.
- 25 A. Uh-huh.

1 MS. SHEALY: Your Honor, we would call Leonard Maxwell.

2 May we approach just for a second, Your Honor?

3 THE COURT: Yes, ma'am.

4 (WHEREUPON, bench conference was had.)

5 (WHEREUPON, the witness was duly sworn.)

6 THE CLERK: State your name into the microphone and
7 spell your last name for the record.

8 MR. MAXWELL: Leonard Maxwell, M-A-X-W-E-L-L.

9 **DIRECT EXAMINATION BY MS. SHEALY OF LEONARD MAXWELL:**

10 Q. Mr. Maxwell, where are you from?

11 A. Johns Island.

12 Q. Have you lived in South Carolina all your life?

13 A. Yeah.

14 Q. I want you to if you would please focus your attention
15 back to February 16th of 2013.

16 A. Right.

17 Q. Did you have the occasion to be over at Darrell Ravenel
18 -- or Darren Ravenel's mobile home that late afternoon?

19 A. Yes, I was living with him.

20 Q. You were living with him at that time?

21 A. Uh-huh.

22 Q. And showing you State's Exhibit 1, this will show up on
23 that screen right in front of you. Can you circle where
24 your trailer was; can you orient yourself to that picture?

25 A. This here?

- 1 Q. Uh-huh.
- 2 A. (Witness complied.)
- 3 Q. And were it just you and Mr. Ravenel in your mobile
- 4 home that afternoon?
- 5 A. Yes.
- 6 Q. Did something happen in the afternoon hours that drew
- 7 your attention?
- 8 A. Heard gunshots.
- 9 Q. Okay. And when you heard gunshots where were you?
- 10 A. In the house.
- 11 Q. After you heard the first one what did you do?
- 12 A. Ran outside to the porch.
- 13 Q. And when you went to the porch area could you see over
- 14 to where Ms. Melinda lived?
- 15 A. She was laying on the ground.
- 16 Q. Okay. Did you know Timmy Wright?
- 17 A. No.
- 18 Q. Did you see a male there that afternoon, a guy? Did
- 19 you see a guy over there that afternoon?
- 20 A. Yes.
- 21 Q. Okay. And but you just didn't know him personally?
- 22 A. No.
- 23 Q. What was he doing when you saw Melinda on the ground?
- 24 A. I think I saw him shot the gun again, I believe, and
- 25 standing over her, and laying next to her on the ground,

- 1 talking to her.
- 2 Q. He was talking to her?
- 3 A. Uh-huh.
- 4 Q. And she was down after the first shot?
- 5 A. I guess. I heard the first shot. That's when I went
- 6 outside. I guess.
- 7 Q. Well, okay, let me ask it to you this way: You hear a
- 8 shot?
- 9 A. Right.
- 10 Q. When you look out your porch where is Ms. Melinda?
- 11 A. On the ground.
- 12 Q. And you had heard one shot at that point?
- 13 A. After the second shot.
- 14 Q. And then you heard a second shot?
- 15 A. Yeah.
- 16 Q. Did you ever see Mr. Wright with the gun pointed at
- 17 himself?
- 18 A. Right.
- 19 Q. Tell us about that.
- 20 A. After everything had unfold he put the gun in his mouth
- 21 like this (motioning) and said he was going to kill himself.
- 22 I said no. And then he shot himself twice.
- 23 Q. After ---
- 24 A. Then ---
- 25 Q. I'm sorry. Stand up and show us -- with the court's

- 1 permission. Just stand up and point at your body.
- 2 A. Somewhere here (pointing), and somewhere there
- 3 (pointing).
- 4 Q. Okay. And after that did you see where he went?
- 5 A. Yeah, he got in his truck. Out the parking lot and
- 6 turned left. And I left.
- 7 Q. Prior to hearing that first shot had you heard any
- 8 arguing over there?
- 9 A. No.
- 10 Q. And after the shot did you see one of Melinda's
- 11 children over to where y'all were?
- 12 A. I think that was her daughter.
- 13 Q. And what was she needing?
- 14 A. Needing?
- 15 Q. What did she want from y'all?
- 16 A. Help I guess.
- 17 Q. Okay. Well, did she ask for someone to call 911?
- 18 A. Right.
- 19 Q. And could you tell us whether anyone there called 911?
- 20 A. Darren.
- 21 Q. Now at some point when -- Kadasha is the young girl's
- 22 name?
- 23 A. Right.
- 24 Q. When she was out there tending to her mother you were
- 25 also out there in the same area; is that right?

1 A. Right.

2 Q. And at some point are you on the phone with 911 as
3 well?

4 A. No.

5 Q. But you are out there while she puts the phone down and
6 is tending to her mother; is that right?

7 A. Right.

8 MS. SHEALY: Your Honor, at this time we would ask to
9 play the 911 recording that has been previously marked as
10 State's Exhibit 140.

11 THE COURT: Okay.

12 (WHEREUPON, CD audio, State Exhibit 140, was played;
13 approximately 4:50 p.m. to 4:52 p.m.)

14 Q. Now while you were out there could you describe to the
15 jury what the young girl was doing; was she stationary or
16 was she going back and forth places when it first happened?

17 A. Place to place.

18 Q. Do what?

19 A. Place to place.

20 Q. Okay. And when you say place to place what are you
21 talking about?

22 A. In the house, out of the house, by it, over where we
23 stay, in the yard.

24 Q. Okay. And during that part when we can hear your voice
25 more than we can hear her voice you are telling her what to

1 do to her mother?

2 A. Yes.

3 Q. Like applying pressure?

4 A. Uh-huh, I saw that on TV.

5 Q. Okay. The weapon that was out there.

6 A. Right.

7 Q. Does the young girl do anything with the weapon while
8 you are out there?

9 A. She grabs it one time and moves it out of the way.

10 Q. Slid it away?

11 A. Uh-huh.

12 MR. SMITH: Beg the court's indulgence just a moment.

13 I have no further questions. Please answer any that the
14 defense may have.

15 THE COURT: Cross-examination.

16 MR. MAXWELL: All right.

17 **CROSS-EXAMINATION BY MR. SMITH OF MR. MAXWELL:**

18 Q. Good afternoon, Mr. Maxwell. I just have a few
19 questions for you, okay?

20 A. All right.

21 Q. After this incident did you ever talk to police?

22 A. Yes.

23 Q. Did you ever give them a statement of any kind?

24 A. Tell them where the gun was.

25 Q. You told them where the gun was. Did they make you

- 1 write down a statement or anything like that?
- 2 A. No.
- 3 Q. Now was that the first time on this day that you had
- 4 seen Timothy Wright?
- 5 A. No.
- 6 Q. So you had seen him over there in the past; is that ---
- 7 A. Yeah, but I never talked to him.
- 8 Q. You never talked to him.
- 9 A. No.
- 10 Q. But you had seen him?
- 11 A. Right.
- 12 Q. Okay. So after you hear the first shot you went
- 13 outside to your porch?
- 14 A. Right.
- 15 Q. Did you go over to the other house immediately, or did
- 16 you stay on your porch?
- 17 A. I stayed on the porch.
- 18 Q. You stayed on the porch. And from the porch is that
- 19 where you saw Timothy attempt to shoot himself?
- 20 A. Well, you are fast forwarding, yeah; but he looked like
- 21 he was coming towards, you know, where I live.
- 22 Q. Okay.
- 23 A. Put the gun like this (motioning.) And I said no, you
- 24 are not going to shoot yourself. And then he starts and
- 25 shoot himself here and here (motioning). Two shots.

DIRECT EXAMINATION BY MS. SHEALY OF CHRISSHON FORD-HAYWARD 188

1 THE COURT: Are you ready?

2 THE BAILIFF: Yes, sir.

3 THE COURT: Okay. Bring us the jury.

4 (WHEREUPON, jury enters 10:16 a.m.)

5 THE BAILIFF: All jurors are present, Your Honor.

6 THE COURT: Okay. Thank you very much. Solicitor, if
7 you will call your next witness, please.

8 MS. SHEALY: Chrisshon Ford.

9 (WHEREUPON, the witness was duly sworn.)

10 THE CLERK: State your name into the microphone and
11 spell your last name for the record.

12 THE WITNESS: It is Chrisshon Ford-Hayward, F-Q-R-D,
13 hyphen, H-A-Y-W-A-R-D.

14 **DIRECT EXAMINATION BY MS. SHEALY OF CHRISSHON FORD-HAYWARD:**

15 Q. And Chrisshon, tell the jury if you would please how
16 old are you.

17 A. Twenty-one.

18 Q. So you were 19 when your mother died?

19 A. Yes.

20 Q. And if you would tell the jury where you are living
21 now.

22 A. Johns Island.

23 Q. Not at Betsy Kerrison any longer?

24 A. No, ma'am.

25 Q. Kadasha lives with you?

- 1 A. Yes, ma'am.
- 2 Q. And your little brother now lives with his father?
- 3 A. Yes, ma'am.
- 4 Q. But prior to this he lived with y'all?
- 5 A. Yes, ma'am.
- 6 Q. Where are you working now?
- 7 A. I work out on Kiawah Island and in West Ashley as a
- 8 massage therapist.
- 9 Q. Okay. And how long have you been doing that kind of
- 10 work?
- 11 A. Almost two years now.
- 12 Q. And is West Ashley is that -- what is the name of that
- 13 massage ---
- 14 A. Massage Envy..
- 15 Q. Massage Envy, okay. And so the Kiawah location is
- 16 close to you?
- 17 A. Yes, ma'am.
- 18 Q. Back on February 16th of 2013 were you working at those
- 19 two locations or were you working somewhere else?
- 20 A. I was working on Kiawah.
- 21 Q. Not yet at Massage Envy?
- 22 A. Right.
- 23 Q. Where did you go to high school?
- 24 A. St. Johns High.
- 25 Q. And tell the jury if you would please in the afternoon

DIRECT EXAMINATION BY MS. SHEALY OF CHRISSHON FORD-HAYWARD 190

1 hours of February 16th where were you that day?

2 A. I was at work until about six o'clock p.m.

3 Q. And did you get a phone call about what was going on at
4 the house?

5 A. No, ma'am.

6 Q. So tell the jury when you got off work you went where?

7 A. I went straight home.

8 Q. And when you approached your home what did you see
9 going on?

10 A. When I was driving up in the driveway Leonard Maxwell
11 he stopped me and told me what was going on. And that is
12 when I got out of my car and went up to the porch.

13 Q. Okay. So you had no idea before you got there that
14 that was going on?

15 A. No, ma'am.

16 Q. And when you got there what did you do?

17 A. Called 911.

18 Q. Now I'm showing you what has been marked as State's
19 Exhibit Number 6. It is going to come up right on that
20 monitor in front of you.

21 A. Okay.

22 Q. Is your car depicted in that photograph?

23 A. Yes, ma'am.

24 Q. And show us your car.

25 A. Right here (pointing.)

DIRECT EXAMINATION BY MS. SHEALY OF CHRISSHON FORD-HAYWARD 191

1 Q. When you called 911 did you begin rendering some aid to
2 your mother?

3 A. Yes, ma'am. At first I got on the phone. And then she
4 asked me what happened. But I didn't know exactly what
5 happened so I gave the phone and message to Kadasha, and
6 then she gave me directions for CPR.

7 Q. Okay.

8 MS. SHEALY: Beg the court's indulgence for just a
9 moment.

10 THE COURT: Yes, ma'am.

11 BY MS. SHEALY:

12 Q. So as you were working on your mother, Kadasha then
13 started talking to 911 again?

14 A. Yes, ma'am.

15 Q. Was there anybody else outside other than you and your
16 sister and Leonard Maxwell when you came up?

17 A. Not that I can remember.

18 Q. Later do more people start showing up?

19 A. Yes, ma'am.

20 Q. When you got there was Kadasha upset that EMS had not
21 gotten there yet?

22 A. Yes, ma'am.

23 Q. And when you saw your mother was she laying on her
24 back?

25 A. Yes, ma'am.

DIRECT EXAMINATION BY MS. SHEALY OF CHRISSHON FORD-HAYWARD 194

1 A. Maybe a week.

2 Q. A couple of days to a week?

3 A. Yes, ma'am.

4 Q. When you got the keys back are you the first person
5 that who went back into your mother's car?

6 A. Yes, ma'am.

7 Q. And would you describe to the jury when you opened the
8 door was there an odor?

9 A. Yes, ma'am.

10 Q. What did you find that was in the car?

11 A. The Chinese food that my mom was supposed to take to my
12 grandma's house.

13 Q. I have no further questions. Answer any that the
14 defense may have for you, okay.

15 THE COURT: Cross-examination.

16 MR. SMITH: Your Honor, we don't have any questions for
17 this witness.

18 THE COURT: Okay. Ms. Ford, you may step down. Thank
19 you very much.

20 Call your next witness, please.

21 MS. SHEALY: Kate Ford.

22 (WHEREUPON, the witness was duly sworn.)

23 THE CLERK: Speak into the microphone ---

24 MS. SHEALY: Ms. Ford, can you scoot yourself up as
25 close as you can. Okay. And so will you try to speak a

1 little loudly for us?

2 MS. KATE FORD: Yes.

3 **DIRECT EXAMINATION BY MS. SHEALY OF KATE FORD:**

4 Q. Are you Melinda Ford's mother?

5 A. Yes.

6 Q. How many children did you have?

7 A. Seven.

8 Q. Okay. And are many of them still in the Charleston
9 area?

10 A. Not all of them.

11 Q. But some are?

12 A. Yes.

13 Q. Okay. Taking you back to February 16th of 2013, did
14 you go anywhere that morning with your daughter and your
15 granddaughter?

16 A. Yes, we went shopping.

17 Q. And where did y'all go?

18 A. We went to Tanger.

19 Q. And after y'all left Tanger did y'all go to any other
20 stores?

21 A. We went to -- want to go to Wal-Mart to get a few
22 things.

23 Q. Okay. And did you go anywhere to pick you up something
24 for dinner?

25 A. Yes, we went to the Chinese place to get some food.

1 Q. When you were heading home -- first, tell the jury how
2 far away from Melinda did you live?

3 A. About I am going to say about six minutes or so.

4 Q. Okay. And that -- would you turn off of Betsy Kerrison
5 to get to your house?

6 A. Yes, Pumpkin Hill Road.

7 Q. When they dropped you off did you realize you didn't
8 have your Chinese food?

9 A. Yes.

10 Q. Okay. Now at some point after you got home did -- did
11 you receive a phone call about the Chinese food?

12 A. Yes, from Kadasha.

13 Q. Okay. And what did she say?

14 A. She said my mommy is on the way with your food.

15 Q. And in fact Melinda did not get to your house; is that
16 right?

17 A. No, I got a second call.

18 Q. And what did you learn in the second call?

19 A. She told me that Timmy shot my mother?

20 Q. Okay. And did you end up going over there later that
21 evening?

22 A. Yes.

23 Q. And were there other family members there?

24 A. Yes, but I don't have much family.

25 Q. You don't know what -- you don't know who all was

1 A. At the beginning.

2 Q. All right.

3 MR. SMITH: I have no question -- other questions, Your
4 Honor.

5 THE COURT: Okay. Thank you very much. Any redirect?

6 MR. CORVEY: No, Your Honor.

7 THE COURT: All right. You may step down. Thank
8 you ---

9 MR. MISURACA: Yes, sir.

10 THE COURT: --- so very much.

11 MR. MISURACA: Yes, sir.

12 THE COURT: Call your next witness, please.

13 MS. SHEALY: Patrick Murphy.

14 (WHEREUPON, the witness was duly sworn.)

15 THE CLERK: State your name into the microphone and
16 spell your last name for the record.

17 MR. MURPHY: My name is Patrick Murphy, M-U-R-P-H-Y.

18 **DIRECT EXAMINATION BY MS. SHEALY OF PATRICK MURPHY:**

19 Q. Mr. Murphy, if you would please tell the jury where you
20 are employed.

21 A. I work for Charleston County EMS.

22 Q. And how long have you worked there?

23 A. About two-and-a-half years.

24 Q. Focusing your attention back to February 16th of 2013
25 were you and a fellow EMS technician summonsed to Betsy

1 Kerrison?

2 A. That is correct.

3 Q. Who was it that rode with you?

4 A. His name is Nicholas Nance.

5 Q. Okay. And you both are EMS personnel?

6 A. That is correct.

7 Q. Do you recall who drove there, between the two of you?

8 A. I honestly do not.

9 Q. And the term staging has come up. Can you explain to
10 the jury what that means?

11 A. Yes, staging -- for EMS personnel we don't have body
12 armor; we don't carry guns; we don't have anything like
13 that. So when there is a call that comes out for an
14 assault, a gunshot wound, a fight, someone who is
15 psychologically unstable, typically dispatch will instruct
16 EMS to stage at a location a mile or so away where the
17 Sheriff's Office or CPD or whoever will go in to make sure
18 the scene is safe for us, nobody has any guns or anything.
19 And then they -- as soon as everything is okay, they will
20 call us in. We will come in from like a mile away. So that
21 way they know that we are safe.

22 Because there have been instances in the past where EMS
23 personnel or fire personnel have gone on the scene and been
24 assaulted or shot or held hostage or various other things.
25 So it is a safety issue for EMS.

1 (WHEREUPON, witness reviewed photograph.)

2 A. Yes, ma'am.

3 Q. Then after turning her on her side y'all then you said
4 put a monitor on her?

5 A. Yes, we put cardiac leads on her, stopped CPR for about
6 a moment and checked the electrical activity of the heart.
7 In this case there was none which means it is an asystole or
8 a flat line.

9 Q. Okay.

10 A. Which means her heart has no electrical activity and
11 isn't beating whatsoever.

12 Q. So was she actually already deceased when y'all got
13 there?

14 A. That is correct.

15 Q. Now did you notice any items of evidence in the area?

16 A. I know there was -- I know there was a shotgun laying
17 on the ground. I believe car keys and a couple of shotgun
18 shells and maybe a bag.

19 Q. And do you remember what was in the bag?

20 A. I want to say clothes, but

21 Q. And do you remember seeing any type of footwear?

22 A. A slipper or a flip flop. But I believe it -- I only
23 saw one.

24 Q. Just one?

25 A. I believe so.

1 THE COURT: Okay.

2 (WHEREUPON, witness was duly sworn.)

3 THE CLERK: Please state your name into the microphone
4 and spell your last name for the record.

5 THE WITNESS: Thomas Buckhannon. My last name
6 B-U-C-K-H-A-N-N-O-N.

7 **DIRECT EXAMINATION BY MR. CORVEY OF THOMAS BUCKHANNON:**

8 Q. Good afternoon, Deputy Buckhannon. Where do you work?

9 A. Charleston County Sheriff's Office.

10 Q. And how long have you worked for the Sheriff's Office?

11 A. Four-and-a-half years.

12 Q. Have you worked with any other law enforcement agencies
13 prior to that?

14 A. Yes, Berkeley County Sheriff's Office and Folly Beach
15 Police.

16 Q. Combined in total how long have you been a
17 law-enforcement officer?

18 A. Nine-and-a-half years.

19 Q. What are your current duties with the Sheriff's Office?

20 A. I am currently assigned to the K-9 unit.

21 Q. Okay. And where have you currently been assigned
22 inside of the Sheriff's Office -- or where have you
23 previously? Excuse me.

24 A. Uniform patrol. And I have worked judicial
25 enforcement, courtroom, doing courtroom security.

1 Q. Were you working as a deputy on the night of February
2 16th, 2013?

3 A. I was.

4 Q. What were you doing that night?

5 A. I was working overtime covering an overtime shift in
6 West Ashley District, Charleston.

7 Q. Okay. And then did a call come out that night
8 regarding a shooting incident?

9 A. It did. It was broadcasted over the radio. It was
10 toned out.

11 Q. What do you mean by toned out?

12 A. The dispatcher will send an alert, tone over the radio.
13 And basically it is an attention-getter, everybody pay
14 attention. They know something serious is going on.

15 Q. Okay. And what was the information that came out over
16 dispatch?

17 A. There had been a shooting on Betsy Kerrison Parkway on
18 Johns Island and at least one person had been shot and it
19 was possible that another person was shot. And later on
20 there was a broadcast that the suspect might have left the
21 scene.

22 Q. Okay. And so after that came out over the radio what
23 did you then do?

24 A. I went from West Ashley. I had crossed over Main Road,
25 Main and River Road. I was coming from such a distance that

1 I was more or less going to cover their district while the
2 other units handled the shooting.

3 Q. Okay.

4 A. And it ended up one of the deputies became involved in
5 pursuit. They were coming down Bohicket Road off of Johns
6 Island towards West Ashley. So I positioned myself at Main
7 Road and River Road and got my stop sticks out in case he
8 came past me.

9 Q. And just describe for the jury what stop sticks are.

10 A. They are a tire deflation device. They are strips of
11 three-strips increments. And we have them pieced together
12 to make nine-foot spike strips. We throw them across the
13 road and they deflate tires.

14 Q. And so you put those out, and then did that chase ever
15 end up getting to you?

16 A. It did not.

17 Q. Okay. What happened with that chase?

18 A. The chase ended up taking a turn off of Maybank into a
19 park.

20 Q. Okay. And then after it turned off into Maybank what
21 did you then do next?

22 A. I proceeded to where the crash was. The suspect had
23 ran on foot. But then there was nobody in route to the
24 actual scene so I went back around. I actually went to the
25 scene.

- 1 A. Charleston County Sheriff's Office.
- 2 Q. How long have you been with the Sheriff's Office?
- 3 A. Since 2012.
- 4 Q. What are your duties with the Sheriff's?
- 5 A. I am a patrol deputy.
- 6 Q. Okay. And what does that primarily consist of?
- 7 A. Pretty much answer calls, taking reports, conducting
- 8 traffic stops, and whatever else.
- 9 Q. And have you worked in law enforcement previously?
- 10 A. No, sir.
- 11 Q. This is your first law enforcement assignment?
- 12 A. Yes, sir.
- 13 Q. And were you working as a deputy on the night of
- 14 February 16, 2013?
- 15 A. Yes, sir.
- 16 Q. What were you doing that night?
- 17 A. I was actually just coming on shift, just beginning my
- 18 patrol when they dropped home to let us know there was a
- 19 high priority call coming out. At which time they let us
- 20 know that there was a shooting up on Betsy Kerrison.
- 21 I then drove out of the neighborhood that I was
- 22 patrolling at that time. Began to make my way up towards
- 23 that scene. And on the way there the dispatch let us know
- 24 about the subject had fled the scene in a vehicle. They
- 25 said it was a white-colored Nissan truck with a dog cage in

DIRECT EXAMINATION BY MR. CORVEY OF DEPUTY JEFFREY
PHILLIPS

237

1 the back.

2 On the way up to Betsy Kerrison on Bohicket Road just
3 before Eden Bell Road I observed a vehicle matching that
4 description passing by me the opposite way going towards
5 Maybank Highway. At which time I turned around.

6 I then attempted a lawful traffic stop on the vehicle.
7 It failed to stop for both lights and sirens, so I advised
8 dispatch I would be in a 10-80 which is a pursuant.

9 I called out my traffic conditions, my weather, and
10 pedestrian traffic, all the requirements that are ---

11 Q. So you -- you are actively going on a chase right now?

12 A. Yes, sir.

13 Q. Okay. And so before we kind of get going on the chase
14 I want to back up just a little bit and kind of describe and
15 set what is going on up for the jury.

16 And so you just get back on call or on duty and then
17 the phone call goes out. Can you reiterate again what the
18 description of the truck was.

19 A. They say white in color, Nissan pickup truck, and it
20 had a dog cage in the back.

21 Q. Okay. And you had just said that you were traveling up
22 Bohicket Road towards Betsy Kerrison; is that right?

23 A. Yes, sir.

24 Q. Can you -- and that was the direction what you were
25 expecting the suspect to come towards you?

1 A. That was unknown. We didn't have the actual direction
2 of travel at the time. But coming -- if he was coming back
3 down on Johns Island there's only two routes, and that's
4 either River Road or Bohicket.

5 Q. Okay. And then can you please describe for the jury
6 just how Bohicket and Betsy Kerrison intersect.

7 A. Bohicket if you are coming from Maybank Highway and
8 driving towards Kiawah or Seabrook Island it will actually
9 turn into Betsy Kerrison Parkway. At a traffic light it
10 intersects. There is River Road, Bohicket, and then it
11 turns into Betsy Kerrison at that intersection.

12 Q. So they are really kind of like this continuation of
13 the same road?

14 A. Yes, sir.

15 Q. So you are traveling up Bohicket, and then you said
16 that you saw a vehicle that matched the suspect's
17 description?

18 A. Yes, sir.

19 Q. Okay. And then what about that vehicle stood out to
20 you?

21 A. White-colored pickup and it had a significant size dog
22 cage in the back.

23 Q. And that was the information that y'all had received?

24 A. Yes, sir.

25 Q. Okay. So what did you do then?

DIRECT EXAMINATION BY MR. CORVEY OF DEPUTY JEFFREY
PHILLIPS

239

1 A. At that time I managed to turn around. I had a break
2 in traffic. Turned around and got beyond the vehicle. I
3 advised dispatch of the tag which was HPA 256. And that
4 came back -- it was actually a Toyota. It wasn't a Nissan.

5 I attempted a traffic stop on the vehicle, had licensed
6 sirens activated; and the vehicle failed to stop.

7 Q. Okay. And then after the vehicle failed to stop, what
8 happened then?

9 A. I advised my dispatcher that I would be in a 10-80
10 which is a pursuit with the vehicle. I gave them the
11 direction of travel being Bohicket going toward Maybank
12 Highway, gave out the requirements, any time that we get in
13 pursuit, which are weather conditions, the traffic
14 conditions, which is amount of traffic on the road, along
15 with if there's any pedestrians in the roadway.

16 Q. Okay. And actually you mentioned traffic conditions.
17 Let's talk about a little bit about that. Was traffic busy
18 on Bohicket that night?

19 A. It was fairly busy.

20 Q. So what was going on with the other traffic on the
21 roadway when you were involved in this pursuit?

22 A. Pretty much the roadway was fairly clogged. It was
23 fairly busy. Had traffic coming both towards me and going
24 towards -- and going with Maybank Highway.

25 And so as I was following the white pickup he was

1 weaving in and out of traffic causing people to have to get
2 off the side of the road. And that road is very tight.
3 There's a lot of trees on the side. It is very hard to get
4 out of the way of any oncoming vehicles.

5 Q. So how fast did you guys -- did the chase end up
6 getting up to?

7 A. The speeds actually ranged between 45 miles per hour
8 and about 60 miles per hour. It all depended on how much
9 traffic he came up to at that time. Because there were
10 occasional breaks in traffic and how many vehicles were in
11 line.

12 Q. Then if he got like a clear patch of road would he then
13 speed up to try to get away from you?

14 A. Yes, sir.

15 Q. So the chase is ongoing. And then let's kind of fast
16 forward ahead to kind of the culmination of the case. What
17 happened then?

18 A. The vehicle went across Maybank Highway, and he then --
19 or it then turned right onto Spence Road which is a
20 subdivision. It is a smaller neighbor and smaller road.

21 The vehicle then continued down to Spence and came to
22 what was like a dirt path. There was a break in a tree
23 line. And there was what looked like a giant tree laid down
24 across that -- that break. And the vehicle actually went
25 over the top of it, at which time the dog cage ended up

1 falling out of the back along with a couple of other items.

2 I had to stop my vehicle because it couldn't clear with
3 the size of it. The truck then turned left onto what was
4 identified as Rews Street, R-E-W-S. And then it turned back
5 around and continued the other way, towards the baseball
6 fields.

7 Q. Okay. And what is that park called?

8 A. The Rew Street.

9 Q. Well, the park. You mentioned baseball fields.

10 A. I am unfamiliar with the park name.

11 Q. Okay. So then what did you do next as you had to get
12 back to your car because you couldn't get over the log?

13 A. I directed all of the vehicles behind me, all my other
14 deputies, that hey there is a tree right there; you have got
15 to go around; go down the street. At which time they
16 continued down and got onto Rew Street.

17 Q. And then now did you take video of this case that
18 night?

19 A. Yes, sir, everything was recorded.

20 Q. How was that recorded?

21 A. With our dash cam video system pretty much any time
22 that we activate our lights and sirens the video system
23 automatically starts recording and it also records
24 everything 30 seconds prior to lighting up our lights and
25 sirens.

1 Q. Okay. Now at this time, Your Honor, I am going to play
2 portions of the 911 video that has already been admitted
3 into evidence without any objections is my understanding.

4 THE COURT: What number?

5 MR. CORVEY: Not 911. Excuse me.

6 THE COURT: Pardon?

7 MR. CORVEY: One seventy-seven, Your Honor.

8 THE COURT: One seventy-seven, okay. Any objection?

9 MR. SMITH: Without objection, Your Honor.

10 THE COURT: All right, 177. That's -- I believe that
11 has previously been admitted into evidence. But if not, it
12 is admitted into evidence without objection.

13 MR. CORVEY: Thank you, Your Honor.

14 Q. Now Deputy Phillips, I am going to play this. And
15 since there is no sound, just for aid of the jury could you
16 just kind of please let us know what is going on at various
17 parts?

18 A. Yes, sir.

19 (WHEREUPON, video is played and running during Q&A as
20 follows:)

21 A. All right. At this point this is where I am starting
22 my shift. This is going to be on Sheen Drive. Again, I
23 haven't activated my lights yet. The call is just now going
24 out. I am getting all the information, the location of the
25 call, and finding the best route to travel to get there. I

1 will be making a right onto Staffwood Road.

2 Q. It says CCSO 100 at the top. What does that mean?

3 A. That is going to be Charleston County Sheriff's Office,
4 and 100 is going to be my call sign. That is how they
5 address me over the radio.

6 Q. Okay. So this indicated that this is your cruiser that
7 you are in?

8 A. Yes, ma'am, that would be my recording system.

9 Q. And what about the numbers in the bottom right-hand
10 corner?

11 A. That is going to be the date, 2/16 of '13, February
12 16th. And then 825 is going to be -- I'm sorry, 18:25 is
13 going to be the time of the recording, what is the actual
14 time of the date.

15 Q. And what time is that in standard time?

16 A. That's going to be 6:25 p.m. All right. I am going to
17 be on Maybank Highway at this point. Lights and sirens are
18 both activated.

19 Again, for a high priority call they are going to want
20 us to get there quick. So we do that to get through traffic
21 as best we can, as quickly as we can. And then this
22 intersection I'm going to be turning onto Bohicket Road.

23 Q. And so you're now heading towards the Betsy Kerrison
24 location?

25 A. Yes, sir. About this time I am being notified that the

1 subject of the call has fled, unknown direction of travel.
2 But we get a scripture -- or a descripture of the vehicle
3 that he was in. Again, they describe it as a white Nissan
4 pickup truck with a dog cage in the back.

5 Q. And then please let us know when you get close to
6 spotting the suspect.

7 A. Yes, sir. All right, now I believe it is going to be
8 after I go around this car there is going to be another line
9 of traffic and then I should -- you will spot the vehicle.
10 It will be -- be at the very end of the line.

11 Q. Approaching you?

12 A. Yes, sir. It should be right there. So again, turn
13 around. This time I advised dispatch I have a possible
14 matching vehicle and that I am going to have to catch up to
15 and I will advise.

16 So here is the vehicle.

17 Q. Are those other deputies passing you?

18 A. Yes, sir, those are the other deputies responding to
19 the call. Again, I have a white pickup truck. It had the
20 cage in the back. I had my lights and siren activated. And
21 instead of stopping and pulling off to the side like the
22 rest of the vehicles he then proceeds around them and then
23 he starts picking up speed.

24 And I'm sorry, I've already advised past this point
25 already I've already advised dispatch that I would be in a

1 pursuit of the vehicle. Gave out all the information. And
2 those deputies that went by me, they ended up turning around
3 to back me up on the call. And they actually take over the
4 radio so I can focus on driving.

5 It about this point with the open traffic I believe we
6 hit about 60 miles per hour from what I recall.

7 Q. So where are we approaching now?

8 A. This is -- we are going to be coming up on the
9 intersection of Maybank Highway. And if you go straight
10 through it's going to be -- it is going to actually turn
11 into Main Road.

12 Q. So Bohicket turns into Main?

13 A. Yes, sir. And you see he crosses over Maybank Highway,
14 goes through the red light. And then he is going to be
15 making a right up here. And this is going to be Spence.

16 Q. Are those other deputies farther down the road?

17 A. Yes, sir. So, again, this is Spence Street. This is
18 inside of a neighborhood, a little bit tighter streets. And
19 then here he is going to go through the grass and then a
20 giant log.

21 Turns left. He goes down there. He actually does a
22 doughnut or does a quick turnaround in the grass area. And
23 then you see he drives by. And over towards that direction
24 is where the baseball fields are.

25 Q. So is this -- this is you then getting out?

1 A. This is going to be me. I am trying to locate to see
2 where he is going to and try to get a better direction of
3 travel. I have got about three deputies behind me. They
4 are all turning around to go and try to catch up to him.

5 (WHEREUPON, video concludes.)

6 Q. Okay. So now I want to show you what has been admitted
7 as State's 55. Is that a picture of the log that obstructs
8 the roadway there?

9 A. Yes, sir.

10 Q. And what is that out in the background of the picture?

11 A. The silver object?

12 Q. Yes.

13 A. That is going to be the dog cage that was in the back
14 of the truck.

15 Q. Okay. And then State's 56 is this a close-up of the
16 log?

17 A. -It looks to be it, yes.

18 Q. And is that a fallen tree, or was it put there for any
19 sort of reason?

20 A. Actually I believe it is going to be a telephone pole.
21 I am unsure of the reason it is there.

22 Q. And then State's 57, and is that a closer shot of the
23 dog cage?

24 A. That looks to be, yes, sir.

25 Q. Okay. So now that you have gotten back in your car

1 please explain to the jury again what you did next?

2 A. After I got in my vehicle, being new I accidentally
3 drove the wrong way. But we managed to catch up to where
4 the pursuit ended which was in a tree line through the
5 baseball fields. I then parked my vehicle and got out and I
6 helped establish the perimeter.

7 Q. And so -- and so the chase had ended by the time you
8 got to the baseball field?

9 A. Yes, sir.

10 Q. And where was the suspect?

11 A. He was gone on arrival.

12 Q. He had fled?

13 A. Yes, sir.

14 Q. And so you said that you helped set up a perimeter.
15 How did you do that?

16 A. Pretty much we go and we set up to a general area.
17 Deputies go around that area and try and just keep it
18 isolated so that nobody can either come into the crime scene
19 or leave it.

20 Q. Okay. And I'm going to show you what has been admitted
21 as State's 50. And is this the baseball field where that
22 chase ended?

23 A. That looks to be it, yes.

24 Q. Okay. And so when you describe setting up a perimeter
25 you kind of went around the field and the woods in the

1 Colburn actually was sitting out of the scene.

2 Q. At this scene?

3 A. Yes, sir.

4 Q. And he advised that he had the subject. I don't recall
5 what he said. It might have been detained. But we then
6 raced back to him to help them take him into custody.

7 Q. What happened once you got there?

8 A. The subject was taken into custody. And then we end up
9 searching the area for where he was hiding out at.

10 Q. Did you get any sort of indication as to where he may
11 have been hiding?

12 A. No, sir.

13 Q. Okay. So what did you and the deputy you went with do?

14 A. We ended up searching the area. And at that time the
15 neighborhood behind the tree line were actually undeveloped
16 houses. They were still being built. So we went over there
17 and while looking around, one of the houses actually had
18 blue it looked like Styrofoam or something sitting on the
19 ground and looked to be an actual human footprint.

20 So at that time we proceeded in the house in order to
21 secure it and make sure nobody else was hiding in there.
22 And we actually came across a couple of blood drops. And
23 upon further investigation we found what looked to be
24 insulation that you put inside the walls in the house with
25 actual blood on it. And then we found a room that actually

1 had blood on the walls or what appeared to be blood.

2 Q. So I'm going to show you State's Exhibit 84. Is this
3 the house in that neighborhood that you came upon?

4 A. It looks like it.

5 Q. And then State's Exhibit 85. Is this the blue
6 Styrofoam that you were talking about?

7 A. Yes, sir.

8 Q. And if you could, kind of point out on that
9 picture - you can actually draw on the monitor in front of
10 you - about where you saw some footprints.

11 A. (Witness complied.)

12 Q. So you then go in the house because of those -- notice
13 a blood trail, and then kind of did you go throughout the
14 house -- or kind of describe how you went throughout the
15 house.

16 A. From there I had another deputy with me and we actually
17 went into the residence and what we define as secure it,
18 making sure that nobody else is inside, there's no weapons
19 or nobody else hurt.

20 So we pretty much go room to room and just making sure,
21 like I said, nobody else is hiding inside. So we proceeded
22 through each room, up the stairs. And like I said, at that
23 time we found a couple of drops of blood. And then upstairs
24 we found the insulation in the one room that actually had
25 blood or what appeared to be blood on the wall.

1 Q. And then I'm showing you now State's 87. And what does
2 this show?

3 A. That would be the room where it had what appeared to be
4 blood on the wall.

5 Q. And then after y'all noticed the blood in the house
6 what did you do next?

7 A. We then notified the commander on the scene, which was
8 a Lieutenant Conkey; and forensics was then contacted to
9 come and process the scene as part -- as part of the crime
10 scene.

11 Q. Okay.

12 MR. CORVEY: Beg the court's indulgence, Your Honor.

13 Q. Now Deputy Phillips, I want to go back to I believe
14 State's 47 -- or excuse me, 50. So we are looking at the
15 ball field again. Can you kind of describe for the jury
16 where -- kind of estimate where the house is where you found
17 the defendant in the background there, just kind of how
18 close it is?

19 A. It's going to be somewhere in this area right
20 (pointing).

21 Q. In ---

22 A. On the opposite side of the tree line.

23 Q. And in your memory about how wide is that tree line?

24 A. Maybe 50 feet or so. I can't give you an exact
25 estimate. Somewhere in there though.

DIRECT EXAMINATION BY MR. CORVEY OF DEPUTY MATTHEW COLBURN 256

1 THE COURT: I'm sorry, who are you calling?

2 MR. CORVEY: Matt Colburn.

3 THE COURT: Okay.

4 (WHEREUPON, the witness was duly sworn.)

5 THE CLERK: Please state your name into the microphone
6 and spell your last for the record.

7 THE WITNESS: Matthew Colburn, C-O-L-B-U-R-N.

8 **DIRECT EXAMINATION BY MR. CORVEY OF DEPUTY MATTHEW COLBURN:**

9 Q. Good afternoon, Deputy Colburn. Where do you work?

10 A. Charleston County Sheriff's Office.

11 Q. How long have you worked for the Sheriff's Office?

12 A. Approximately seven years, sir.

13 Q. Have you worked with any other law-enforcement
14 agencies?

15 A. No, sir.

16 Q. What are your duties with the Sheriff's Office?

17 A. Basically patrol functions, answer calls for service.
18 I enforce criminal and traffic laws.

19 Q. Were you working at a patrol deputy on the night of
20 February 16th, 2013?

21 A. Yes, sir.

22 Q. What happened that night?

23 A. I got dispatched to a reported shooting at 3744 Betsy
24 Kerrison Parkway.

25 Q. Okay. And while you were on your way to that scene

1 what happened then?

2 A. I was advised that Deputy Phillips located a possible
3 suspect vehicle and was in a pursuit with that vehicle at
4 that time.

5 Q. Okay. And where were you coming from when the call
6 initially came in?

7 A. St. Andrews Boulevard.

8 Q. And where is that located?

9 A. West Ashley.

10 Q. Okay. So you were then traveling on to Johns Island?

11 A. Correct.

12 Q. And where did you go once arriving on Johns Island?

13 A. Down Maybank Highway which is where the pursuit was
14 heading to at crossover Maybank Highway off of Bohicket onto
15 Main Road and then was advised it had moved into the
16 Dunmovin neighborhood.

17 So I positioned myself on Hay Road which goes into the
18 Dunmovin neighborhood. I was informed that the pursuit then
19 went into the park, which is on Hey Road.

20 Q. And then did you then position yourself on Hey Road?

21 A. Yes, sir.

22 Q. I am showing you State's 48. What does this show?

23 A. It is a picture of Hey Road and the left side of the
24 ballfield.

25 Q. And then can you see in that photograph where you

1 positioned yourself?

2 A. In the very far end it's a right-hand corner facing
3 this way (pointing), and I positioned my vehicle there. And
4 there is a tree just around the bend.

5 Q. You can actually drawn on the screen. Can you draw for
6 the jury where you were?

7 A. Right in this area (pointing).

8 Q. Okay. And were you standing off to the side?

9 A. Correct, off to the left-hand side from here.

10 Q. And why did you put your car there?

11 A. I mean the pursuit was in -- inside the park, and
12 there's only two ways to get in and out of the park; on Hey
13 Road going back towards Maybank Highway and there is another
14 one towards a Brownswood Road.

15 Q. Okay. And then did the suspect end up coming towards
16 you?

17 A. He did.

18 Q. I'm showing you State's 49. What does this show?

19 A. This is we -- a partial view of what I had. The
20 suspect vehicle was traveling towards me in the picture.

21 Q. So where are you located in reference to this picture?

22 A. It would be back off to the left-hand side of the
23 picture.

24 Q. And is the road that is displayed in this picture the
25 same road that was displayed in the last picture?

1 A. Yes, sir.

2 Q. So you are in the background of this?

3 A. On this side, yes, sir, I am towards the back.

4 Q. Okay. And then what is off to the right in this
5 picture?

6 A. The baseball fields.

7 Q. Okay. So we have the suspect then coming towards you,
8 and then what happens?

9 A. I observe a white pickup truck coming towards me at
10 which time it doubles back around and goes back away from
11 me. I hear a crash and then I observe a pickup truck
12 driving across the baseball field.

13 Q. Okay. Can you on the screen kind of draw his path of
14 direction here?

15 A. Coming this way and then doubles back (drawing).

16 Q. And that after he doubles back where does the crash
17 take place, just your best estimate?

18 A. In this area here (pointing).

19 Q. I am showing you State's 47. So this is the baseball
20 field that we have here. And so where did he drive then
21 after he crashed through the fence on that baseball field?

22 And if you actually click that button up at the top of
23 the screen there's a clear option so you can clear. Kind of
24 far right.

25 A. Yes, sir.

DIRECT EXAMINATION BY MR. CORVEY OF DEPUTY MATTHEW COLBURN 260

1 (WHEREUPON, screen is cleared.)

2 A. Enters in this area here (pointing) and then drive

3 across the baseball field and then back this way.

4 Q. And then when he gets back to that end what is down at

5 that end of the baseball field?

6 A. There is another fence for the baseball field. He

7 crashes through the fence and into the wood line.

8 Q. Does his car stop at the wood line?

9 A. It does, yes, sir.

10 Q. And then what happens?

11 A. For that point I get back in my patrol car. Coming

12 back down Hey Road there is a gate that is here (pointing)

13 that was open. Go through the gate around in between the

14 ball fields here (pointing) and I approached the vehicle.

15 Q. Okay. And were you alone by the time you started

16 approaching the vehicle?

17 A. No, sir, there's multiple units with us.

18 Q. Okay. And who else was with you to the best you know?

19 A. Approaching the vehicle was myself and Deputy Bolander.

20 Q. Okay. So please just kind of describe for the jury

21 what happens once you have gotten out of your cruiser and

22 then are approaching the vehicle.

23 A. Myself and Deputy Bolander cleared the vehicle to make

24 sure there was nobody inside the vehicle itself or around

25 it.

1 A. I went back to the baseball fields to relieve dayshift
2 units that were on the scene there.

3 Q. Okay. And then once back on scene at the baseball
4 field what did you do next?

5 A. Secured the scene there. Relieved the dayshift units
6 so they could go home while forensics processed the scene
7 and had the vehicle removed.

8 Q. And then were you stationed there for the rest of the
9 night?

10 A. No, sir.

11 Q. Okay. Then what did you do?

12 A. After the vehicle was removed I left from the baseball
13 fields and there was a command post set up on Maybank
14 Highway at Simmons Gas Station. I went there and awaited
15 further instructions from Lieutenant Conkey, my supervisor.

16 Q. Is that nearby the baseball field?

17 A. It is close by, yes, sir.

18 Q. It is close by. So once you arrived back at the
19 command post what further instructions did you receive?

20 A. I was informed by Lieutenant Conkey to go ahead and go
21 back to the baseball fields to keep that area secure so they
22 could initiate another canine track in the morning.

23 Q. So while you were at the baseball fields, what
24 happened?

25 A. As I was at the baseball fields approximately 0:58

DIRECT EXAMINATION BY MR. CORVEY OF DEPUTY MATTHEW COLBURN 265

1 hours I observed the suspect emerge from the woods coming
2 towards my position. I exited my vehicle, challenged him to
3 the ground where he stayed until other units arrived on the
4 scene.

5 Q. Okay. And I want to talk to you about that. But first
6 you said 0:58. What time is that in standard time?

7 A. Midnight. 12:58 a.m.

8 Q. Okay. So it is almost one o'clock?

9 A. Correct.

10 Q. Okay. So I am going to show you State's 47. So where
11 were you positioned when you were working security on the
12 scene after you had returned?

13 A. Somewhere in this area here (pointing).

14 Q. Okay. And were you just parked out there with your
15 cruiser?

16 A. Correct.

17 Q. Okay. And then when you say you, you know, made sight
18 of the suspect, how did that happen?

19 A. He emerged from the wood line from where his vehicle
20 wrecked into the fence line somewhere in this area, walking
21 towards me.

22 Q. And at that point his truck and everything else at the
23 scene had been processed already, so it was removed?

24 A. Correct.

25 Q. And so please kind of walk the jury through what

1 happens once you see him emerge from the wood line.

2 A. I exit my vehicle. I observe it is a black male
3 walking towards me in a camouflage jacket. Challenged him
4 to the ground. As he is walking to me I can see his hands
5 clearly; not up in a surrender position, but he is walking
6 towards me. He does comply after a few -- few times to
7 challenge to get on the ground to where he is held.

8 He does advise that he has been shot. I called
9 dispatch to let them know, have them send EMS to my
10 location. Multiple units show up on the scene to where he
11 is handcuffed and searched.

12 Q. And when he was walking out towards you is there -- did
13 he appear injured at all; was his gait or ---

14 A. Not that I could tell at the time.

15 Q. Did you notice anything else about his appearance?

16 A. I observed he was bloody. The jacket he was wearing
17 was bloody. His body was bloody. And that at which point
18 he did say that he was shot.

19 Q. So you then called it out and then other officers and
20 EMS came?

21 A. Correct.

22 Q. So what happened after EMS came?

23 A. He was handcuffed, searched, transported to Medical
24 University for treatment. I followed EMS down there and
25 waited relief from jail units.

1 Q. So Deputy Colburn, I want to get back in towards when
2 you -- when you were dispatched back out to the ball field
3 just to secure the scene for the canine track in the
4 morning. About what time were you sent out there?

5 A. I can't recall. I would say approximately 12:30ish,
6 somewhere about there.

7 Q. Okay. So you were out there for a little bit of time
8 before the defendant then came out of the wood line?

9 A. Yes, sir.

10 Q. And when you were out there were your lights and sirens
11 on and all?

12 A. Headlights on.

13 Q. Your headlights were?

14 A. Yes, sir.

15 Q. Were your blue lights on?

16 A. No, sir.

17 Q. Okay. And then I kind of want to talk to you a little
18 bit about once the defendant came out of the wood line you
19 mentioned you had to order him to the ground a few times
20 before he complied?

21 A. Correct.

22 Q. Did you end up having to pull your gun?

23 A. Yes, sir.

24 Q. And then it was after you pulled your gun did he then
25 get on the ground?

1 A. A short time after, yes, sir.

2 Q. So after you pulled your gun did you have to instruct
3 him again to get back on the ground?

4 A. Yes, sir, approximately three to four times.

5 Q. And this is after you pulled your gun?

6 A. Correct.

7 MR. CORVEY: Court's indulgence. No further questions,
8 Your Honor.

9 THE COURT: Any recross?

10 MR. SMITH: No, Your Honor.

11 THE COURT: Okay. You may step down. Thank you very
12 much.

13 MS. SHEALY: Matt Adams.

14 (WHEREUPON, the witness was duly sworn.)

15 THE CLERK: Please state your name into the microphone
16 and spell your last name for the record.

17 THE WITNESS: My name is Matthew Palmer Adams,
18 A-D-A-M-S.

19 **DIRECT EXAMINATION BY MS. SHEALY OF MATTHEW ADAMS:**

20 Q. Mr. Adams, could you tell the jury where you are
21 currently employed.

22 A. Currently I am employed as a flight paramedic with Air
23 Methods which has a base out of Moncks Corner. I also work
24 part-time for Charleston County EMS as a paramedic.

25 Q. How long have you been working your new job?

1 A. For the last two months. Since December.

2 Q. And how long had you worked with the County and EMS?

3 A. Since 2008.

4 Q. Focusing your attention back to February 16th of 2013,
5 did you report to the Johns Island Park regarding an
6 individual who had been shot?

7 A. Yes, ma'am.

8 Q. And do you recall who it was that you went there with;
9 do y'all go in pair usually?

10 A. Yes, ma'am.

11 Q. Who is the other person that went with you; do you
12 remember?

13 A. My partner's name is Naomi Vitus.

14 Q. When y'all arrived there could you tell the jury please
15 where the person who had been shot was.

16 A. To the best of my recollection when we arrived on the
17 scene the subject who was shot was found in police custody
18 laying on the ground close to a wood line by the side of
19 a -- the park.

20 Q. Okay. And could you describe the demeanor of the
21 individual who had been shot?

22 A. He was very quiet. He did not speak very much to us as
23 we were providing care.

24 Q. And in providing care would you have to ask him
25 questions about his medical history?

- 1 A. Yes, ma'am.
- 2 Q. Did he initially give the information or ultimately
3 give the information?
- 4 A. Regarding his medical history, yes, ma'am, he did.
- 5 Q. As a part of tending to someone and giving them care at
6 the scene like that, would you try to determine where they
7 were hurting if anywhere?
- 8 A. Yes, ma'am.
- 9 Q. Did you ask him that question?
- 10 A. I did.
- 11 Q. And did he answer you?
- 12 A. He did not answer.
- 13 Q. Did you do any other assessment of him while at the
14 scene, or did you put him into the ambulance so y'all could
15 be traveling towards the hospital?
- 16 A. We completed our primary survey on the scene and
17 then ---
- 18 Q. And what is included in that?
- 19 A. Primary survey searches for immediate life threats,
20 things we would need to provide care for immediately. And
21 then once that was completed we immobilized him and placed
22 him into the back of the ambulance.
- 23 Q. Were you able to determine where it was that he had
24 been shot?
- 25 A. Yes, ma'am. We exposed his torso and were able to

1 locate the wounds that we were treating.

2 Q. And do you recall what area of the body they were
3 located?

4 A. If I remember correctly, the right side of his torso,
5 the upper portion of his abdomen on the right side, and his
6 chest wall as well. And there also was a small bit of soft
7 tissue damage to his right upper arm as well.

8 Q. Okay. Was he bleeding still?

9 A. No, ma'am, he was not actively bleeding.

10 Q. Now in working with a patient like that, do you also
11 determine their mental status?

12 A. Yes, ma'am.

13 Q. And what determination did you make regarding his
14 mental status?

15 A. He would have been normal mental status similar to you
16 or I right now.

17 Q. And then regarding motor or sensory deficits?

18 A. Yes, ma'am.

19 Q. First of all, explain what we mean by motory deficits.

20 A. Motor deficits would be inability to voluntarily move
21 one of your extremities. And with sensory deficits it is
22 the inability to feel. When for instance if you introduce a
23 painful stimulus like pinching their toe or finger if they
24 were able to detect that or not.

25 Q. And do you recall whether or not you were able to make

1 a determination as to both his motor skills and his sensory?

2 A. Yes, ma'am.

3 Q. Okay. Tell us about that. How did you first of all
4 achieve those areas in trying to determine whether or not
5 there were any deficits?

6 A. With trauma patients we can keep everything very
7 simple. So asking them to squeeze our fingers and if they
8 are able to follow those commands we consider, you know,
9 their gross motor function in fact. And then asking them to
10 move their feet or their toes. And with the gentleman we
11 did both of those and he was able to comply. And so we
12 noted that his motor function was intact. And then we asked
13 him basically if he could feel us touching him. Which he
14 indicate that he could.

15 Q. And then do you also do an airway assessment?

16 A. Yes, ma'am.

17 Q. And what is meant by an airway assessment?

18 A. An airways assessment is if the patient is able to
19 maintain their own airway or breathe without any assistance
20 or any further interventions from who is providing care.

21 Q. And would you tell the jury please what were your
22 determinations as to his airway assessment.

23 A. He had a spontaneously patent airway which means he had
24 no foreign bodies, no blood or secretions in his airway.
25 And he did not require any interventions or assistance from

1 us to maintain his own airway.

2 Q. Do you also listen to his lungs?

3 A. Yes, ma'am.

4 Q. And what were your conclusions after listening to his
5 lungs?

6 A. He had clear lung sounds on both sides of his chest and
7 all lung fields that we were able to also take from the
8 front of his body.

9 Q. Do you determine whether or not there tends to be any
10 increase in working to breathe well when you're looking at
11 someone?

12 A. Yes, ma'am.

13 Q. And did he have any increase in having to be able to
14 breathe well?

15 A. No, ma'am, he had no increase work in breathing.

16 Q. What if anything is done about the cardiovascular
17 system?

18 A. We perform an initial assessment which we look for
19 peripheral pulses. So with this gentleman we looked for a
20 radial pulse, while he had present. It was strong and
21 regular, which is a good indicator of his cardiovascular
22 status.

23 We also assess for a few other things including jugular
24 venous distention which is around the neck. And then we
25 just take a quick look at their skin color, temperature,

1 condition, which gives us a good indicator of how their
2 cardiovascular system is performing.

3 Q. And so as it related to -- the patient was Mr. Wright.
4 As it related to Mr. Wright does his cardiovascular system
5 seem to be working appropriately?

6 A. Yes, ma'am.

7 Q. Now have you answered calls that involved gunshot
8 wounds previously?

9 A. Yes, ma'am.

10 Q. Is that a somewhat frequent, unfortunate event that you
11 have to ---

12 A. Yes, ma'am.

13 Q. --- answer calls for?

14 A. Yes, ma'am.

15 Q. Regarding the injuries that you saw on him did they
16 seem consistent with a shotgun blast?

17 A. I would say, you know, based off of the amount of
18 tissue that was damaged that it did appear to be from
19 something similar to a shotgun.

20 Q. And what is meant by the term superficial soft tissue
21 injury?

22 A. Superficial gets into the top layers of the skin versus
23 having deep injury or, you know, I guess, you know, a deeper
24 tissue injury. Superficial would just be the top layer.

25 Q. Regarding Mr. Wright's condition were you able to

1 determine whether it appeared to be a soft tissue injury, a
2 superficial wound?

3 A. With gunshot wounds we always recognize the soft tissue
4 injuries first; however, we always have the underlying
5 suspicion of some type of injuries. And that is why, you
6 know, we provide emergent transport to the trauma center so
7 that way they can do a better system than we can in the
8 field.

9 Q. Okay. Very well. And other than answering questions
10 about -- did he give you some information about whether he
11 had high blood pressure?

12 A. Yes, ma'am, that was the question he answered about his
13 medical history.

14 Q. Do you inquire then about what type of prescriptions
15 someone may or may not be on?

16 A. Yes, ma'am.

17 Q. Would he answer those questions?

18 A. He did not answer that question.

19 Q. And in traveling with him to the hospital were you in
20 the back with him?

21 A. Yes, ma'am.

22 Q. Was there any other conversation had with Mr. Wright?

23 A. We asked him several other demographic questions for
24 his name, his date of birth, Social Security number, and his
25 address where he lived. And if I remember correctly the

1 MS. SHEALY: Thank you, Your Honor. Kathy Kjellman.

2 (WHEREUPON, witness was duly sworn.)

3 THE CLERK: State your name into the microphone and
4 spell your last name for the record.

5 THE WITNESS: My name is Kathy Kjellman. My last name
6 is spelled K-J-E-L-L-M-A-N.

7 **DIRECT EXAMINATION BY MS. SHEALY OF KATHY KJELLMAN:**

8 Q. Ms. Kjellman, If you would please tell the jury where
9 you work.

10 A. Charleston County Sheriff's Office.

11 Q. And what capacity do you work there?

12 A. Currently investigator.

13 Q. I'm sorry?

14 A. Investigator.

15 Q. Okay. And are you -- how long have you worked there?

16 A. Doing investigations ten years.

17 Q. And when you say investigations you are talking about
18 something different than the detective; is that correct?

19 A. Yes.

20 Q. What type of investigations are you involved in?

21 A. I deal with the whole the crime scene part of it,
22 respond to crime scenes collecting evidence and
23 photographing.

24 Q. Tell the jury if you would just briefly when you or
25 some other member of your team shows up at a crime scene

1 what are your goals when you get there?

2 A. The goals are just to collect evidence and anything
3 that might be related to the incident to further help the
4 investigation.

5 Q. And some of the items that you retrieve at a crime
6 scene are they then sent to SLED for analysis?

7 A. Yes.

8 Q. Okay. And I think we've heard about SLED; it is
9 located in Columbia?

10 A. Yes.

11 Q. And they have various technicians that analyze
12 different types of forensic evidence?

13 A. Yes.

14 Q. Okay. Now regarding this matter how many different
15 scenes did you go to?

16 A. I responded to actually three.

17 Q. And which were those?

18 A. The initial scene on Betsy Kerrison, the Dunmovin Park
19 area where the truck was, and also Field Planters the house
20 that was under construction.

21 Q. Okay. Let's start with the Betsy Kerrison. That is
22 where you said you went first; is that correct?

23 A. Yes.

24 Q. And when you get to a crime scene tell us the
25 importance of taking photographs.

1 Q. Okay. Is that everything you did at the scene; you
2 also went inside and took some photographs that we've looked
3 at earlier, the inside of the house; is that correct?

4 A. Yes.

5 Q. And where did you go after you finished up at Betsy
6 Kerrison?

7 A. After Betsy Kerrison I believe I went back to the
8 office.

9 Q. Tell us what you do with the items that you collected
10 while at Betsy Kerrison; did they go with you to the next
11 location ---

12 A. Yes.

13 Q. --- or did you have to take that back to your compound?

14 A. Yeah, they -- after I collected and everything at
15 this -- after I collect it and physically pick it up off the
16 ground it gets locked up and secured in my vehicle. And
17 from there it gets taken directly over to my office and gets
18 secured there.

19 Q. Okay. And the next location then was Dunmovin?

20 A. I believe I stopped and -- Investigator Watson was
21 actually helping me out. He was at the scene of Dunmovin
22 Park.

23 Q. Okay. Did you actually go over to the Field Planters?

24 A. Yes, I did.

25 Q. And Field Planters was the place where there was a

- 1 house under construction; is that correct?
- 2 A. Yes.
- 3 Q. Showing you what has been marked as State's Exhibit 84.
- 4 Is that -- I'm sorry. Is that the home that you went into?
- 5 A. Yes.
- 6 Q. And who went with you into that residence ---
- 7 A. It was ---
- 8 Q. Not really a residence yet, but a house under
- 9 construction.
- 10 A. It was myself and Investigator Watson.
- 11 Q. And showing you State's Exhibit 85. Were there ---
- 12 A. That's ---
- 13 Q. Go ahead.
- 14 A. That is the front porch. I'm sorry.
- 15 Q. And were there some what looks like damp, bare feet
- 16 prints on that piece of Styrofoam?
- 17 A. I mean I could tell it was footprints on the Styrofoam.
- 18 Q. Okay. And then State's Exhibit 86. Did that reflect
- 19 the back of that address?
- 20 A. Yes, it does.
- 21 Q. And in looking at that photograph where is the ball
- 22 field in relationship to that?
- 23 A. I believe the ball field is going to be over in this
- 24 direction here (pointing).
- 25 Q. And was it a wooded area behind this home?

1 A. It was a small, wooded area behind the ballpark and the
2 back yard of this house.

3 Q. Okay. State's Exhibit Number 87. And is -- does that
4 reflect one of the rooms in the house under construction?

5 A. Yes, it does.

6 Q. And when you were in this room did you take a swab from
7 that closet area?

8 A. Yes, I did.

9 Q. And did that also get sent to SLED? I am showing you
10 State's Exhibit 156.

11 A. This is a blood swab from the bedroom closet.

12 Q. Let's go back for a second because I have been looking
13 for that photo of the shotgun.

14 MS. SHEALY: Can we go back to State's 4 for a second.
15 (WHEREUPON, exhibit was shown on ELMO.)

16 Q. Can you see it in that photograph? Let me see if the
17 photograph itself is a little bit easier to see.

18 A. I know it has got a Number 2 Placard on it.

19 Q. And was there a cone already marking it when you
20 arrived there?

21 A. Yes.

22 Q. I am showing you the actual photograph itself,
23 State's 4. Can you at least point to the cone that was
24 marking it.

25 A. Okay, I believe it is this cone right here (pointing).

1 Q. It is just so dark in the grass there it is a little
2 hard to see.

3 A. Yeah.

4 Q. But again, you took close-ups of it, Pictures 14 and
5 15?

6 A. Yes.

7 Q. Okay. So back to the bedroom and the house under
8 construction. I handed you what had been sent to SLED, a
9 swabbing of that area.

10 A. Yes.

11 Q. And was that to determine whose blood was in the closet
12 area?

13 A. Yes.

14 Q. Okay. And in looking at 87 again, do you see a path
15 towards the window and then back towards the closet on the
16 floor?

17 A. Yeah, you can see like what may be a damp or wet area
18 going from the closet to the window.

19 Q. Showing you State's Exhibit 157, those two dark items
20 depicted on that photograph, what are those of?

21 A. Those are two black socks.

22 Q. And in 157 does that contain those two socks? You
23 don't have to open it if you can tell by the labeling.

24 A. Yes, it is the two black socks in the picture.

25 Q. And showing you State's Exhibit 88 is that a closer up

1 and spell your last name for the record.

2 THE WITNESS: Cynthia Ana Schandl, S-C-H-A-N-D-L.

3 **DIRECT EXAMINATION BY MS. SHEALY OF DR. CYNTHIA SCHANDL:**

4 Q. Dr. Schandl, if you would please tell the jury where
5 you are employed.

6 A. Hi. Yes, I am employed at the Medical University of
7 South Carolina in the department of pathology and laboratory
8 medicine. And I also work in the medical and forensic
9 autopsy section there at MUSC.

10 Q. And how long have you worked there?

11 A. I have been employed there since 2004.

12 Q. And would you tell us about your educational
13 background?

14 A. Yes, ma'am. So I am a medical doctor and forensic
15 pathologist. So my educational background is a bachelor's
16 degree from California State University in San Bernardino
17 1990. And then I came to the Medical University of South
18 Carolina where I completed my medical degree and my doctoral
19 degree in 1999. So that is MD, PHD.

20 Following that there is a training program specifically
21 for pathology, residency program called anatomic pathology
22 and clinical pathology. I completed that here as well as at
23 MUSC.

24 And during that training I also did an additional
25 fellowship here in the subspecialty of forensic pathology.

1 And after the fellowship and residency training there is
2 board certification for those specialties. And I am board
3 certified by the American Board of Pathology in anatomic
4 pathology, clinical pathology, and forensic pathology.

5 And following all that training is when I began my
6 professional career at MUSC in 2004.

7 Q. And would you advise the jury approximately how many
8 autopsies have you performed.

9 A. I have performed over 2,000 autopsies.

10 Q. And have you been qualified previously as an expert in
11 the field of forensic pathology?

12 A. Yes, ma'am.

13 Q. Do you have an approximate number of how many times you
14 have been qualified?

15 A. About a hundred.

16 MS. SHEALY: Your Honor, at this time we would offer
17 Dr. Schandl as an expert in the field of forensic pathology.

18 THE COURT: And objections?

19 MS. SHEALY: No objections.

20 THE COURT: All right. The court so finds.

21 BY MS. SHEALY:

22 Q. Dr. Schandl, if you would briefly describe what an
23 autopsy is.

24 A. Yes, ma'am. So here in the state of Charleston there
25 are different offices that perform the forensic pathologist

1 or the medical doctor services for the different coroners of
2 the counties. At MUSC we perform autopsies for a number of
3 different counties from the state.

4 The autopsy itself is initiated by a call from the
5 coroner or one of their employees that will tell us that
6 they have a case that they would like to send to us and they
7 will describe it to us and then bring the body of the person
8 who has died to MUSC.

9 So then we will get to look at that person when they
10 come up to the autopsy room. And that is when our part of
11 the autopsy begins.

12 Generally I will begin by taking a series of
13 photographs and following the photographs note what they are
14 wearing and then remove the clothing. Sometimes the
15 clothing will get photographed separately depending on the
16 type of case if it is important to the case. And then turn
17 my attention to the external examination.

18 So once the person has no clothing on we can look for
19 tattoos, scars, how tall are they, those sorts of things, as
20 well any injuries or other things that we find on the
21 outside of the body.

22 In a case such as this that involves in this case a
23 shotgun wound or a gunshot wound in those sorts of cases we
24 will take a series of x-rays prior to beginning any internal
25 examinations.

1 And the purpose of that in this kind of a case where
2 there is a gunshot wound or shotgun wound we are looking for
3 the projectiles. Because they are radial opaque, meaning
4 they show up very well on x-ray.

5 So that assists us in finding those projectiles which
6 is part of our process in this sort of a case is retrieving
7 those projectiles and getting them over as evidence to
8 whoever is investigating the case.

9 So we do the x-rays. And then we turn our attention to
10 the internal examination where is what most people think of
11 as the autopsy where we use surgical techniques to open the
12 body and look at all the internal organs. We are going to
13 look for any trauma, any disease processes, anything that
14 may be abnormal.

15 And in the case of a gunshot wound or shotgun wound we
16 are going to look to see what structures the projectile or
17 projectiles pass through as they went through the body and
18 see what damage that they did.

19 In addition to that, during the autopsy examination we
20 take body fluids, usually blood, in order to test for
21 toxicological substances like alcohol and substances of
22 abuse and medications, all those things get tested for
23 routinely in all of our autopsy cases.

24 Following that we are also going to look at -- I like
25 to look at each major organ under the microscope again to

1 see if there's any disease process and to also confirm
2 anything that I saw with my eyes under the microscope.

3 And once all of that information is put together I will
4 generate a report which is then given back to the coroner's
5 office.

6 Q. Okay. And were you asked to perform an autopsy on
7 Melinda Ford?

8 A. Yes, ma'am.

9 Q. In doing so are you also looking for the cause of
10 death?

11 A. Yes, ma'am.

12 Q. And if you would please could you tell us what your
13 findings were as they related to Melinda Ford?

14 A. Yes, ma'am.

15 Q. So with Ms. Ford what I found was a shotgun wound,
16 single shotgun wound, to her back, slightly to the right
17 side and middle of her back.

18 This shotgun wound traveled through her right chest and
19 out through the breast area on the right side of the front
20 side of her chest. So from the back to the front.

21 During it -- as it went through the body it
22 destroyed -- essentially destroyed the right lung. And it
23 also bruised the left lung. And just the blast as it went
24 through it didn't go through the liver but as the blast went
25 through the body the liver was damaged as well.

1 In addition, those projectiles also broke some of
2 her -- the bones of the side of her spine because they were
3 right here (pointing) towards the middle of her back. And
4 there was some blood in her chest cavity as well from that.

5 Other things that we found were one of the projectiles
6 was still in her chest and that we retrieved. One of the
7 projectiles was in her bra cup which we retrieved. And
8 another one was in her clothing.

9 So we retrieved three of the -- of the projectiles from
10 this shotgun wound. They were quite large, so you might
11 think of buckshot that sort of size of shot.

12 Q. Let me see if I can't ---

13 A. Yes, ma'am.

14 Q. Let me kind of slow you down just for a second and go
15 over -- the wound to the back you determined was the
16 entrance wound or the exit wound?

17 A. The wound to the back is the entrance wound.

18 MS. SHEALY: And may I ask that she step down for just
19 a second, Your Honor.

20 THE COURT: Yes, ma'am.

21 Q. If you will come down for a second.

22 A. (Witness complied.)

23 Q. If you could on me show where that wound where the
24 gunshot entered her body.

25 A. So if this is the back, towards the middle of her back.

1 And the entrance gunshot wound just right about there
2 (pointing).

3 Q. So middle of the back widthwise ---

4 A. Slightly to the right.

5 Q. --- and middle of the back almost towards ---

6 A. Correct.

7 Q. Okay. Thank you. Well, while you are down here if you
8 would show us where there were some exit wounds.

9 A. Yes, the exit wounds were in this area right about here
10 (pointing). There were five separate exit wounds. So you
11 can imagine the shots are going to spread. There were over
12 five irregular exit wounds in the breast area on the right.

13 Q. And what is the significance of there being a single
14 space where the entrance occurred -- yeah, go ahead and have
15 a seat.

16 (WHEREUPON, witness returned to witness stand.)

17 Q. ... a single space where the entrance wound occurred and
18 then the multiple areas on the breast area?

19 A. So one of the things that we can assess when we are
20 looking at gunshot wounds or shotgun in many cases is how
21 far away is the muzzle or the end of the gun from the
22 target. And so in this case there is a single defect to her
23 back, and so that suggests to us a range.

24 The single wound to her back is not perfectly round,
25 however. It has scalloped edges. So that tells us that the

1 shot has just started to spread from after leaving the
2 muzzle or the end of the gun.

3 So keeping that in mind, we have one hole, no satellite
4 entrances. Which as you move further back with a shotgun
5 wound the shot will spread and you will get satellite
6 entrance wounds so the shot will start to make holes around
7 the central defect.

8 And then of course if you go further back you are just
9 going to get little holes where the shot is entering. So
10 using those differences in the shotgun spread we can tell
11 with this wound where this single hole with scallops that
12 the end of the gun, the muzzle, was close to her.

13 By -- I mean by close, it can't be exact unless you
14 have that weapon and the same ammunition and actually test
15 fire it; but by close we are talking about three or four
16 feet, that kind of close. Not up against her and not far
17 away.

18 Q. And before you actually performed the autopsy there is
19 a cleansing of the body and the wound; is that correct?

20 A. Yes.

21 Q. I'm showing you what has been previously marked as
22 State's Exhibit 33. It will show up on your monitor. This
23 is a photograph that was taken at the scene. Does that
24 reflect the way the wound looked when -- before you were
25 able to clean it at autopsy? Can you orient yourself to

1 indicated the damage that had been done. Was there anything
2 found in the wound path of a physical nature?

3 A. Yes, ma'am. In -- within the wound path again
4 consistent with the close range of fire there was shotgun
5 wadding. So that is part of what is in the shotgun shell to
6 hold the pellets together. So that also entered the wound.
7 And the -- so there was a piece of cardboard wadding and
8 also a plastic cap or wadding.

9 In addition, one of the pellets, again, was within the
10 wound track. And also along that pathway if you take her
11 clothing into account we also found some of the filler that
12 goes into the shotgun shell.

13 So again, with the larger shot they like to make them
14 nice and packed. And the way that they do that is they add
15 these little balls of in this case white plastic looking
16 little balls to make it packed so that when they go out they
17 are going out as one. So we also found some of that filler
18 on her clothing. All those things consistent with the close
19 range of fire.

20 Q. Showing you State's Exhibit 130. The items that you
21 were talking about which have been previously marked as
22 State's Exhibit 164, does that photograph reflect the items
23 that you found in the wound track?

24 A. Yes, ma'am, these are they. There is ---

25 Q. And could you distinguish between each of those three

1 parts of flesh again. Up here do you mean?

2 Q. Yes. And State's Exhibit 119?

3 A. So this is again the jacket. And you can see the
4 entrance wound towards over here (pointing). And then you
5 can see some defects to the inside of the right chest area
6 over here (pointing) representing where the projectiles were
7 leaving her body.

8 Q. Okay. And 121?

9 A. And again, much the same with the jacket open. You can
10 see the entrance wound coming through the back of the fabric
11 and then the exit wounds over on the right chest area.

12 Q. And State's 124?

13 A. And I think we've seen this ---

14 Q. That is the bra area.

15 A. --- or something similar. This is the inside of the
16 bra cup and the pellet that was there.

17 Q. And 125, that is another photograph of the long-sleeve
18 shirt?

19 A. This is, and this is where it is actually turned with
20 the back facing you. So you are not seeing the front here.
21 You are seeing only the back. And so again the entrance
22 wound.

23 Q. So Dr. Schandl, simply put, the cause of death for Ms.
24 Ford was what?

25 A. The cause of death is right lung and liver maceration

1 due to close range shotgun wound to the back.

2 MS. SHEALY: Beg the court's indulgence just a moment.

3 THE COURT: Yes, ma'am.

4 MS. SHEALY: Doctor Schandl, I have no further
5 questions. If you will answer any that the defense may
6 have.

7 THE COURT: Cross-examination.

8 **CROSS-EXAMINATION BY MR. SMITH OF DR. SCHANDL:**

9 Q. Good morning, Dr. Schandl.

10 A. Good morning.

11 Q. I want to talk to you just for a little bit about your
12 characterizing the wound as being close.

13 A. Yes, ma'am.

14 Q. Okay. You said there were a number of factors that go
15 into that, correct?

16 A. Factors in deciding, yes, sir.

17 Q. And would that be affected by the type of gun that is
18 used?

19 A. Yes, to be accurate you really need the weapon that was
20 used and the ammunition that was used and then you can
21 basically test fire.

22 So you use some sort of a paper target and you start at
23 the target and then you back up and you back up and you back
24 up until you get a similar appearance as what you are trying
25 to measure. And then you can have a more accurate idea of

1 DIRECT EXAMINATION BY MR. SMITH OF TIMOTHY WRIGHT:

2 Q. Mr. Wright, can you tell us where you are from?

3 A. Red Top.

4 Q. Okay. And you still have family in that area?

5 A. Yes, sir.

6 Q. I want to talk to you specifically a little bit about
7 your relationship with Melinda Ford, okay. Were you all
8 seeing each other?

9 A. Yes, sir.

10 Q. And how long did you see one another?

11 A. It was months. Probably like about seven or eight
12 months.

13 THE COURT: Mr. Wright, speak up so everybody can hear
14 you, please.

15 A. Probably about seven or eight months.

16 THE COURT: Okay.

17 A. Something around there.

18 THE COURT: Lean into the microphone so everybody can
19 hear you, please, sir.

20 MR. WRIGHT: All right.

21 THE COURT: All right.

22 BY MR. WRIGHT:

23 Q. And were you living together?

24 A. Yes, at one period of time we were living together.
25 Not at first, but then eventually it got to that stage.

1 Q. Now I want to take you back to February 16 back in
2 2013, okay. And I want you to talk specifically and I am
3 going to ask you some questions about what happened that
4 evening, okay?

5 A. Yes, sir.

6 Q. Where were you that evening?

7 A. The evening of February 16th?

8 Q. Uh-huh.

9 A. That afternoon I had went to the woods to move some of
10 my deer stands out of the woods that afternoon.

11 Q. Okay. And after you moved your deer stands where did
12 you go?

13 A. I went back by the Boost Mobile store which is right
14 down from Maybank Highway. I paid the cell phone bill and I
15 also purchased another cell phone.

16 Q. And what was your purpose in purchasing another cell
17 phone?

18 A. I had talked to Kadasha before the incident, like a
19 couple of days before, and I told her I would purchase her a
20 cell phone.

21 Q. After you left the Boost Mobile store where did you go?

22 A. I stopped by -- I think I stopped by Pizza Hut and I
23 grabbed a little personal pan pizza to eat along with the
24 food I had at home already.

25 Q. Okay. And at that point did you head on home?

- 1 A. Yes, sir.
- 2 Q. Tell me about what happened when you got home.
- 3 A. When I got home I got out of my vehicle and went into
- 4 the house. I warmed up the food that I had in the
- 5 refrigerator. Because I ate the personal pan pizza on the
- 6 way going. So I warmed up the food and went in the room and
- 7 sat down and ate the food.
- 8 Q. And was this at a room that you shared with Melinda
- 9 Ford?
- 10 A. Yes, sir.
- 11 Q. And did someone -- someone or some people come home at
- 12 some point?
- 13 A. Yes, sir.
- 14 Q. Okay. Who came home?
- 15 A. Melinda and Kadasha came back home.
- 16 Q. And what did they do when they got in?
- 17 A. I saw Kadasha had bags in her hand. She was the first
- 18 one that entered the house. And she came into the room.
- 19 She told me hi. And shortly after that Melinda came in
- 20 behind her.
- 21 Q. And what did you do at that point?
- 22 A. Once Melinda came into the home?
- 23 Q. Yes.
- 24 A. Melinda came into the room. And she was a little bit
- 25 frustrated, you know, people making comments to her as far

1 as, you know, our relationship wise. And she was discussing
2 that matter with me in the room.

3 Q. Okay. While she was in there did she ever ask you to
4 leave the home?

5 A. No, sir.

6 Q. So how long did you all discuss that?

7 A. The discussion didn't last but for maybe three or four
8 minutes.

9 Q. Okay. And after that discussion what did you decide to
10 do?

11 A. I decided after having that discussion with her the
12 best thing was for me to leave the home.

13 Q. Okay. And what did you do?

14 A. I then I left out of the room. I went to the kitchen
15 to look for some trash bags. And then I went back into the
16 room after getting trash bags, and I started packing my
17 things.

18 Q. When you were out in the kitchen did -- was anybody
19 else in the kitchen at that time?

20 A. Yes, sir, Kadasha was in the kitchen.

21 Q. Okay. And did you give her anything at that point?

22 A. Yes, sir, I gave Kadasha the cell phone that I had
23 purchased for her. And I also told her, I said -- I told
24 Kadasha, I said if you ever need anybody to talk to -- if
25 you ever need me to talk to me, just call me. Because I

1 said I'm done; I am going.

2 Q. And from there where did you go?

3 A. I went back in the room and started packing my
4 clothing.

5 Q. And in relationship to that room where was your
6 clothing?

7 A. In the closet.

8 Q. And was it folded or hanging up?

9 A. They all were on hangers.

10 Q. All were on hangers. And so after you packed up the
11 stuff what did you do?

12 A. After I packed up -- I packed up a couple of bags, like
13 maybe one or two bags at a time. And also being that I deer
14 hunt I had a gun sitting in the closet that I have it behind
15 this little dresser in her closet. And when you walk into
16 the closet the little dresser sits to the left. Melinda has
17 a little young son so I put the gun behind the dresser where
18 he wouldn't have access to it or wouldn't notice it.

19 Q. I want to stop you there for just a second, okay. I
20 would like to show you what has been marked Defendant's
21 Exhibit Number 1.

22 Beg the court's indulgence just a moment.

23 THE COURT: Yes, sir.

24 BY MR. SMITH:

25 Q. Mr. Wright, is this the closet that you were

1 describing?

2 A. Yes, sir. Yes, sir.

3 Q. And your clothes were hanging up inside there?

4 A. Yes, sir.

5 Q. And can you show us kind of on this picture where the
6 cabinet was where behind you kept your gun.

7 A. There is a cabinet that sits right behind the door on
8 the door jam right here (pointing). It is a little
9 dresser -- a dresser that sits right there in that corner.

10 Q. And ---

11 A. It is off to that corner behind that door right there
12 (pointing).

13 Q. And what type of gun did you keep back there?

14 A. I kept a 12-gauge Remington pump gun.

15 Q. And what did you normally use that gun for?

16 A. Hunting purposes only.

17 Q. Okay. Do you remember the last time that you used the
18 gun?

19 A. Yes, sir, the last day I used it was February 1st --
20 I -- January 1st because that was the last day of deer
21 season.

22 Q. Okay. And on that last day of deer season did you
23 unload the gun?

24 A. To be honest, no, sir, I didn't. Because I don't know
25 if any of you all are familiar with deer hunting, but we dog

1 drive. We use dogs to deer hunt with. And certain
2 landowners let us cross over on their properties to stop the
3 dogs if they get out onto their properties, but they don't
4 want us to carry the guns onto their properties. So I left
5 it behind in the vehicle.

6 Q. Okay. And then eventually you brought the gun inside?

7 A. Brought it inside the home.

8 Q. Inside of the house?

9 A. Yes, sir.

10 Q. Now where was Ms. Ford during this time that you were
11 packing your things up?

12 A. She was right there in the room next to me, and then
13 she went -- she went into the bathroom to use the bathroom.

14 Q. Okay. And then what did you do as you were packing
15 your stuff up?

16 A. Just basically just packing my belongings and trying to
17 get them all together. And I went into the closet and I
18 grabbed the shotgun. Because I was taking clothes out -- if
19 you can see in this rear corner right here, this is a
20 section where I had already moved some of the clothes in
21 right here (pointing). And there's a few more shirts that
22 were left over.

23 In this corner (pointing) I kept a lot of pants and
24 stuff in this corner right next to that dresser drawer. So
25 when I was grabbing those I also grabbed the shotgun from

1 behind there at the same time.

2 Q. Okay. And did you walk outside at that point?

3 A. After I grabbed two bags off of the bed and then I
4 walked outdoor -- walked outside shortly after that, after
5 scrambling around the room a little bit more.

6 Q. Okay. And what happened when you went outside?

7 A. When I walked outside? I walked outside and I went to
8 go open the truck door. Because my -- the way my vehicle
9 was sitting I had the two bags in my hand, the shotgun in my
10 hand. And I went to go use one hand and kick the handle
11 open to release the door. And when I released the door I
12 used the other hand to kind of swing the door open.

13 Q. Okay. And what happened?

14 A. The shotgun went off.

15 Q. Okay. Is that the first time that you -- is that the
16 time that you realized the gun went off?

17 A. Yes, sir.

18 Q. What did you do at that time?

19 A. It scared me. It scared me.

20 Q. Did you -- when did you realize -- did you realize
21 Melinda Ford was outside?

22 A. No, because during that time -- before I even went out
23 there she had already left out of the room. I didn't know
24 where she was at. You know, I didn't know that she even
25 went outside before I did.

1 Q. Okay. And once you -- once the gun went off what did
2 you do at that point?

3 A. I dropped the bags. Because I had the bags and stuff
4 in my hand. I dropped the bags. And after that I started
5 walking away back towards the step. And then that is when
6 Melinda called my name.

7 Q. And did you go over to her at that point?

8 A. I went over to her.

9 Q. What did you do when you went over to her?

10 A. She was lying on the ground.

11 Q. Did -- did you speak to her in any way?

12 A. Yes, I talked to her. I asked her what was she doing
13 on the ground. And that's when she acknowledged to me that
14 she had been hit by when the gun had discharged.

15 Q. And what did you do at that point?

16 A. I dropped -- I dropped -- I dropped. I went down to
17 her. I tried to pick her up off of the ground. And when I
18 tried to raise her up she said no put me back down. She was
19 in pain. She was like no. So I laid her back down.

20 Q. Okay. What -- what did you do next?

21 A. I turn -- I actually tapped on the side of the trailer
22 like two times and I called Kadasha's name like twice. She
23 never came right immediately out of the house.

24 Q. But did you see her come out at some point?

25 A. Yes, she did come out shortly after.

1 Q. Okay. Did you tell her anything when she came out?

2 A. She never asked anything. She just started hollering,
3 screaming.

4 Q. What did -- when she came back did you say anything
5 specific to her?

6 A. Yes, sir, I told her to go in the house and call for
7 help.

8 Q. And did she go back into the house?

9 A. She ran back into the house.

10 Q. And what did you continue to do at that point?

11 A. At that point it just seemed like my heart just
12 dropped, at that point. I mean I started crying. I started
13 getting emotional. Just seeing somebody I love on the
14 ground, you know, with a gunshot wound like that, I just
15 started crying.

16 Q. And what happened then?

17 A. I started walking away from her going back towards the
18 step. Kadasha then came back out of the house. And I told
19 Kadasha I said -- I hand -- I put -- held the gun out and
20 said Kadasha just shoot me.

21 Q. And she didn't shoot you?

22 A. No, sir, she didn't -- never -- she never touched the
23 gun.

24 Q. Okay. And what did you do at that point?

25 A. At that point looking at her and looking in her eyes,

1 seeing the hurt in her eyes, you know, I -- me and Kadasha
2 she was like a daughter to me. You know, she could always
3 talk to me when she had -- was going through problems. And
4 that just -- that just hit me real hard. And I just went
5 off to the side and I just pulled the trigger on myself.

6 Q. Okay. And what happened after you pulled the trigger
7 the first time?

8 A. I pulled the trigger. I shot myself. I got hit.
9 Melinda then yell out oh, no; oh, man; or something like
10 that she yelled out. And I had walked back over to where
11 she was lying on the ground and I explained to her what I
12 had done to myself.

13 Q. Okay. And what happened after that?

14 A. After that I still -- I still wasn't quite satisfied.
15 You know, I still was in a lot of pain hurting from what had
16 happened to her. I went and I shot myself again.

17 Q. Okay. How were you feeling at that point?

18 A. Well, the second shot really kind of took home.
19 Because I was in a lot of pain from the second shot. I just
20 dropped the gun and went back over to her and I was just
21 holding her leg. And at that point talking to her. But I
22 noticed that there wasn't really no tension to her leg, like
23 she didn't have no feeling in it.

24 Q. Okay.

25 A. And I just laid there by her, crying, right there on

1 the ground by her, talking to her.

2 Q. Okay. And then what did you do after that?

3 A. And that by this time -- I think Kadasha and the
4 neighbor somehow connected together and they -- they were
5 calling for help. Everybody was calling to help on the
6 phone, calling different people.

7 And after that my mind just went like if her relatives
8 come over here and see something like this being the fact
9 that nobody never asked me what happened if they came over
10 and saw something like that -- and I knew a lot of those
11 guys from the street and they live just blocks away. They
12 are all in one little circle. I said to myself they are not
13 going to come over here asking questions.

14 Q. So what did you do?

15 A. I then -- I stood there for a minute. I thought about
16 it and I said to myself the best thing for me to do is to
17 leave. Because if they come over here, I felt like I would
18 be in harm if they came over there. Because a lot of those
19 guys carry guns. And I know them, you know, pretty fairly.

20 Q. And where -- what did you do at that point?

21 A. I threw -- had bags in the way that are going to stop
22 me from getting into the truck. I threw some of the stuff
23 on the ground. I got in my vehicle. I went to the back
24 where Melinda was laying. And it's a telephone pole that
25 sits in the back. And I made a U-turn and I came back out

1 of the driveway and went back onto the main highway.

2 Q. Did you hit anything on the way back out?

3 A. Yeah, I rolled over one of the garbage bags that had my
4 clothing in it.

5 Q. Now when you left where were you going to go?

6 A. I was going -- my -- my thing was I was going to my
7 aunt's house who lived right there in Island Estates right
8 in Island Estates on Johns Island.

9 Q. Okay. And why did you want to go there?

10 A. I felt safe if I were to go there and for everybody to
11 just come there and assist me or whatever they were going to
12 do from that point.

13 Q. Okay. And were you scared at that point?

14 A. Yes, sir.

15 Q. When you were driving did you notice policemen along
16 the way?

17 A. Yes, but once I got fairly far down the road there was
18 a cop that came and he -- the cop then spotted me and then
19 he went up and turned around and came behind me.

20 Q. Okay. And then you remember seeing anybody -- any
21 other offices along the way?

22 A. Yes, sir. As he got up behind me and put on his lights
23 behind me there was another police car that sit off to the
24 left on the side of the road.

25 Q. Okay. And what was that officer doing?

1 A. That officer had his door, his driver's side door, open
2 with his gun pointed directly in my face as I was passing
3 by.

4 Q. Okay. So where did you -- where did you go -- where
5 did you end up ---

6 A. I ended up -- I ended up going to a little subdivision
7 called Dunmovin which is just right across the street from
8 Island Estates.

9 Q. Okay. And did you drive through the park there?

10 A. Yes, sir, I did drive through the park.

11 Q. And did you crash through a couple of fences?

12 A. Yes, sir, I did.

13 Q. And eventually your vehicle stops; is that right?

14 A. Yes, sir.

15 Q. Okay. What did you do?

16 A. I then got out of the vehicle and left the vehicle.

17 Q. Okay. And where did you go?

18 A. I went into a house that was under new construction.

19 Q. And where inside the house did you go?

20 A. I went to multiple rooms. I went upstairs in the house
21 and I went to two different rooms, maybe three rooms. I
22 went to the first room where I could see the street in front
23 of the house, and I went -- also went to the rear bedroom
24 where I could see the softball field behind me.

25 Q. Okay. And what did you see in the softball field?

- 1 A. I saw a bunch of cops in the softball field.
- 2 Q. Okay. And did you think about turning yourself in at
- 3 that point?
- 4 A. Yeah, I wanted to; but yeah, but it was too many of
- 5 them to say I was going to turn myself in.
- 6 Q. Were you scared about that?
- 7 A. Yes, sir.
- 8 Q. Now how long did you stay in the house?
- 9 A. I don't remember, but it was a long period of time.
- 10 Q. Okay. And eventually what did you do?
- 11 A. Eventually after the cops that were in front of that
- 12 house that was under new construction after they left and I
- 13 paid attention to the softball field I saw a lot of them
- 14 start leaving out and there was one car left in the field.
- 15 Q. Okay. Is that the time that you walked out?
- 16 A. Yes, sir.
- 17 Q. Okay. And did the officers order you to the ground?
- 18 A. Yes, sir.
- 19 Q. And did EMS eventually come and pick you up?
- 20 A. Yes, sir.
- 21 Q. When you first got on the ground what did you tell the
- 22 officers?
- 23 A. He asked me -- I told him I had been shot.
- 24 Q. Okay. Did you tell him where you had been?
- 25 A. Yeah, I told him where I was at. Because he asked me

1 where were you. And I told him where I was at.

2 Q. Okay. Do you remember -- do you remember the ambulance
3 ride?

4 A. When they arrove (ph)?

5 Q. No, do you remember riding in the ambulance from
6 Dunmovin to MUSC?

7 A. Yes, sir.

8 Q. Okay. And you eventually got to MUSC; is that correct?

9 A. Yes, sir.

10 Q. Okay. And what do you remember from MUSC?

11 A. The only thing I really do remember is when I got there
12 they started cutting the clothing off of me, and I was out
13 after that.

14 Q. Okay. And since this time have you had other
15 surgeries?

16 A. Yes, sir, the first surgery was performed that night.
17 And then the next time they had to rush me back into surgery
18 again.

19 After I was released from MUSC I went down to Al Cannon
20 Detention Center where I was placed in the infirmary for a
21 while. Maybe a week after being out of the hospital I had
22 to be rushed back down there again for another surgery.

23 Q. And let's go back just a little bit. I just want to
24 talk about one other thing. When you went outside you said
25 you were carrying a couple of bags and a gun; is that

1 correct?

2 A. Yes, sir.

3 Q. And you indicated that you knew the gun was loaded?

4 A. Yes, sir.

5 Q. Did you think that was safe?

6 A. No, sir, I didn't think it was safe; but during --
7 because it was so -- a long period. You are talking about
8 between January 1st and February 16th it had just slipped my
9 mind that the gun was even loaded. Because I don't normally
10 have loaded shotguns in a home.

11 MR. SMITH: Beg the court's indulgence.

12 I have no further questions at this time.

13 THE COURT: Cross-examination.

14 MS. SHEALY: May it please the court.

15 **CROSS-EXAMINATION BY MS. SHEALY OF TIMOTHY WRIGHT:**

16 Q. You don't normally leave that shotgun loaded?

17 A. No, ma'am.

18 Q. But you are telling this jury that just happened to be
19 the time that you left it loaded; is that correct?

20 A. No, ma'am, I am not saying that just happened so to be
21 the time that it was loaded. Due to the circumstances, like
22 I was telling them before, the last day of hunting season I
23 was chasing down dogs that had got out of the property. I
24 put the gun behind the seat of the vehicle and I left it
25 there. And there was a ton of other things going on that

1 afternoon, and it just slipped my mind that that gun was
2 still loaded.

3 Q. It just slipped your mind?

4 A. Yes.

5 Q. How old is Davion? How old was he?

6 A. I think Davion during that time maybe five or six.

7 Q. So you brought a loaded shotgun and tucked it into a
8 closet?

9 A. Yes, ma'am.

10 Q. And from that day forward until February 16th, 2013,
11 you just forgot you had a loaded shotgun in that woman's
12 house?

13 A. Yes, ma'am.

14 Q. That wasn't the only gun you had in that house, was it?

15 A. No, ma'am.

16 Q. You had a Remington 700 rifle as well, didn't you?

17 A. Yes, ma'am.

18 Q. And you had a Benelli shotgun, 12-gauge, in that house
19 as well; didn't you?

20 A. Yes, ma'am.

21 Q. Did you tuck those in that same closet?

22 A. Yes, ma'am.

23 Q. Didn't take those out that day, did you?

24 A. No, for the simple fact that those were in gun cases
25 and they were newer guns. That gun right there was what we

1 call as a bush gun. We use that gun to drive dogs with.
2 That gun is so raggedy there's no need to put it in a case
3 and tuck it away. And that was the gun that I was using on
4 that day.

5 Q. You left that shotgun in the car that day, did you
6 not; in your truck?

7 A. No, ma'am.

8 Q. But you're going to tell this jury that when you're
9 gathering your items you chose to take the raggedy gun out
10 first?

11 A. Yes, ma'am, because I don't know if you would have any
12 experience with hunting, but the Remi- -- I had a rifle, a
13 270 high-powered rifle. Rifles carry scopes on them. It
14 takes the least little bump to knock a scope off. So that
15 would have been the last item I would have placed in the cab
16 with me so that the scope wouldn't get knocked out of
17 place -- out of whack.

18 Q. What I am asking you is this: That shotgun was in that
19 truck that day, was it not?

20 A. No, ma'am, it sure not -- it wasn't.

21 Q. But you are going to tell this jury when you are making
22 a choice of what weapons you take out of that home you just
23 happen to take the raggedy shotgun one out?

24 A. I'm telling you that's the gun I choose to put to the
25 bottom and threw all the stuff on top of. That was my plan

1 to throw all the stuff on top of the raggedy gun and not on
2 top of the good gun.

3 Q. How long have you been a hunter?

4 A. I've been hunting for probably like twenty years --
5 twenty something years.

6 Q. And would you consider yourself safe with guns?

7 A. Yes, ma'am.

8 Q. So you want this jury to believe that on the afternoon
9 that you and Melinda Ford have a conversation that makes you
10 result in knowing you better get out of there that on that
11 day, that day, you are not safe with a weapon?

12 A. Well, like I said, I didn't recall -- at that point I
13 didn't recall that gun being loaded. It shocked me when it
14 went off.

15 Q. It shocked you?

16 A. Yes, ma'am.

17 Q. Did you start screaming out there it was an accident?

18 A. No, ma'am. I was more concerned about what was going
19 on with her.

20 Q. You were more concerned -- and you're telling this jury
21 that when Melinda Ford's right lung had been damaged, her
22 ribs had been broken, her spine had been injured, her liver
23 had been lacera- -- macerated, that she is talking to you
24 out there?

25 A. Yes, ma'am.

1 Q. Kadasha came out immediately upon that shotgun going
2 off, did she not?

3 A. No, she did not.

4 Q. And when she came out -- this is the gun; right, Mr.
5 Wright?

6 A. Yes, ma'am, that is the gun.

7 Q. When she came out there, the 15-year-old at the time,
8 you had this weapon; you had it down on Melinda going huh,
9 huh; isn't that true?

10 A. No, ma'am, that is not the truth.

11 Q. So Kadasha is a liar?

12 A. Well, she is a liar; because I did not have the gun
13 pointed on Melinda saying huh, huh, huh.

14 Q. Showing you what has been marked as State's Exhibit 25.
15 You didn't say anything to Mr. Smith about your ammunition
16 bag, did you?

17 A. He knows about all that.

18 Q. He knows about it?

19 A. Yes.

20 Q. It was on the ground, was it not?

21 A. I don't know where it was. When I left ---

22 Q. Look at the picture.

23 A. It is on the ground ---

24 Q. It is on the ground, is it not?

25 A. It is on the ground now.

1 Q. What had been taken out of it; your ammunition belt; is
2 that correct?

3 A. Ma'am, I normally don't keep it in that belt. Because
4 if you have ever hunted and had a belt on you when you are
5 running behind dogs the bottom of the shell tends to push
6 out of that belt. So I stopped using that belt a long time
7 ago.

8 You can't run with those belts on because your
9 ammunition is going to drop to the ground. Every time you
10 are running it squeezes against your waist or stomach, it
11 slides the shell to the top.

12 Q. The shell casings that you loaded into that shotgun
13 that afternoon came out of this ammunition belt, did it not?

14 A. No, ma'am.

15 Q. You have had a long time to think about all this stuff;
16 haven't you, Mr. Wright?

17 A. Ma'am?

18 Q. You have had a long time to be thinking about all this
19 stuff, haven't you?

20 A. Of course I've thought about the whole incident. I
21 think about it every day.

22 Q. A little late for remorse now, wouldn't you say?

23 A. I've been showing remorse since day one.

24 Q. Well, when you were showing remorse why didn't you get
25 your phone and call 911?

- 1 A. Because I had already told Kadasha to go called 911
2 because I had just given (ph) her a phone right before I
3 left out of the house. I just gave her a phone.
- 4 Q. And when ---
- 5 A. And I didn't have my phone on me during that time.
- 6 Q. So you left it up to Kadasha to handle the situation?
- 7 A. She came out and I told her to go back in the house and
8 call for help, yes, ma'am, I did.
- 9 Q. Mr. Wright, you were how old at the time?
- 10 A. Thirty-four I think. Something like that.
- 11 Q. A 34-year-old man, hunter who had just shot her mother
12 in the back, and she was going to attend to getting help;
13 you wanted to leave that in her control?
- 14 A. To call for help, yes, ma'am.
- 15 Q. And you to hold up the weapon to a 15-year-old and say
16 shoot me?
- 17 A. Yes, ma'am, I did tell her that.
- 18 Q. It was a little late to feel sorry at that point, was
19 it not?
- 20 A. No, ma'am, it wasn't late to me to feel sorry. I felt
21 sorry when I saw Melinda on the ground. I just couldn't
22 take it. I never harmed her before in my life. We had a
23 good relationship.
- 24 Q. Well, you are saying you had a good relationship.
- 25 A. Yeah.

1 Q. But what you told Mr. Smith was she came in frustrated
2 about people talking about you; is that right?

3 A. I said we had a good relationship. And that was just,
4 just a little verbal disagreement.

5 Q. And that little verbal disagreement involved her
6 running into her cousin Isis that day; is that right?

7 A. I don't know what it -- that -- I don't know nothing
8 about Isis or her talking to Isis. She didn't tell me
9 anything about that.

10 Q. You know Isis, don't you?

11 A. I do know Isis.

12 Q. Isis doesn't care for you too much, does she?

13 A. I don't know if she does or not. I mean from my --
14 from my knowledge me and her never had a problem. We danced
15 in the club just recently together. She didn't acknowledge
16 that she had a problem with me.

17 Q. Y'all danced in a club?

18 A. Yes, sir -- yes, ma'am. Excuse me.

19 Q. That's okay. Well, you had a letter in your glove box,
20 didn't you?

21 A. Yes, ma'am.

22 Q. And why did you put it in your glove box?

23 A. Melinda actually gave it to me because one of her
24 daughters I think actually got it out of the mailbox.
25 Melinda read it. When I came back to the house that

1 afternoon Melinda showed it to me. And she gave that ---

2 Q. That afternoon?

3 A. No, not that afternoon. That letter had been there
4 probably a month or so before then, before this incident
5 even occurred. I know it was weeks or a month before this
6 incident even occurred.

7 Q. So some things had been brewing, some problems with
8 y'all?

9 A. We didn't have any pro- -- other people had a problem
10 with us.

11 Q. Other people, people who were looking out for Melinda's
12 interest?

13 A. If that is the way you want to put it.

14 Q. Well, that's the way it was, wasn't it?

15 A. No, ma'am, it was not.

16 Q. Showing you what has been marked as State's Exhibit 173
17 for ID purposes. Is that the letter?

18 A. Yes, ma'am, this would be the letter.

19 Q. Okay. And it was in your glove box?

20 A. Yes, ma'am.

21 MS. SHEALY: Your Honor, at this time I would offer
22 State's 173.

23 THE COURT: One seventy-three. Any objection?

24 MR. SMITH: No objection.

25 THE COURT: All right, 173 admitted without objection.

1 (WHEREUPON, State's Exhibit Number 173 was admitted into
2 evidence.)

3 Q. How is this letter signed? Who does it say it is from?

4 A. It just say concerned citizen to the bottom.

5 Q. Okay. And is it fair to say that Melinda was upset
6 when she read this?

7 A. No, ma'am, she was not upset when she read it because
8 she had already knew where -- she had already had an idea of
9 where it came from and who sent it to her.

10 Q. Well, you indicated that y'all had had a good
11 relationship?

12 A. Right.

13 Q. And then it started -- problems started happening
14 because people kept talking to her about you; ---

15 A. Well ---

16 Q. --- is that correct?

17 A. No problems kept happening. She just -- she just kept
18 getting frustrated when people would come to her about it
19 and she would get angry and want to go and confront the
20 person who is saying whatever they are saying. But I always
21 would tell her there is no need for it.

22 Q. Well, this letter involved your wife; is that correct?

23 A. Yes ---

24 Q. Mentioning your wife?

25 A. Yes, ma'am, that's

- 1 Q. And how you left your wife?
- 2 A. Yes, ma'am.
- 3 Q. And how you try to spoil the kids of the women you
- 4 date?
- 5 A. I don't consider it spoiling. I'm not going to
- 6 mistreat anybody's kids. I don't mistreat mine, and if I'm
- 7 in a relationship with you I'm going to treat your kids just
- 8 as well as I treat mine. Good as just like I treat mine. I
- 9 am not going to treat them no differently.
- 10 Q. Well, let me ask this: Melinda found out about a child
- 11 that you hadn't told her about; is that correct?
- 12 A. She never mentioned that to me.
- 13 Q. How many children do you have?
- 14 A. I have four.
- 15 Q. And one of the children's mother is Chica Lockwood?
- 16 A. Yes, that's
- 17 Q. Mimi Davis is the mother of how many?
- 18 A. She is the mother of two.
- 19 Q. And who is the mother of the other child?
- 20 A. Latasha.
- 21 Q. Latasha who?
- 22 A. Brown.
- 23 Q. And where does Latasha Brown live?
- 24 A. Latasha she lives right off of - what is it - River
- 25 Road.

1 Q. So would you agree that Melinda got upset when she
2 realized that you had a child that lived so close to her?

3 A. Melinda had already knew about that child.

4 Q. Okay, Mr. Wright. But you are telling us on this day,
5 on that Saturday, you made the decision you should leave?

6 A. Yes, ma'am, I did.

7 Q. Had Melinda asked you to leave early in the day?

8 A. No, ma'am, she never asked me to leave.

9 Q. When you went outside to take some of your bags out
10 there you took two black bags out; is that correct?

11 A. That's correct.

12 Q. One was still on the ground and one was at the truck?

13 A. When, when the incident occurred?

14 Q. Yes.

15 A. Well, both were in my hand.

16 Q. They were both in your hands?

17 A. Yes, ma'am.

18 Q. So you have seen the photographs of the black bag that
19 is with the truck after you fled the police; is that
20 correct?

21 A. Yes, ma'am.

22 Q. So are you telling this jury that when the incident
23 occurred and after you left Melinda dying on the ground you
24 thought enough to pick up one bag of clothes and put it in
25 the truck with you?

1 A. That was the bag that was sitting right there on the
2 floor right there when I -- as I was opening the door to get
3 into the truck I actually would have had to step on that bag
4 to get inside of the truck.

5 So, yes, ma'am, I did take -- pick that bag up and I
6 threw it onto the passenger side.

7 Q. Because at that point you were thinking about your
8 clothes and getting out of there; is that correct?

9 A. No, ma'am, that was not the case. If that was the case
10 I would have went inside of the house and grabbed all of my
11 clothes.

12 Q. When you went outside and had your ammunition bag, had
13 the shotgun, you loaded it, you racked it, you took your
14 stance, and you shot her square in the back; did you not?

15 A. No, ma'am, I did not.

16 Q. This was just some flucky accident; is that what you're
17 saying?

18 A. It was an accident.

19 Q. And what all did you have in your hands, did you say?

20 A. I told you I had my trash bags and all that in my hand
21 and the shotgun.

22 Q. And the shotgun?

23 A. Yes, ma'am.

24 Q. And you're telling this jury that is how you chose to
25 walk out of the house?

1 A. Yes, ma'am.

2 Q. And the gun just somehow happens to point to the back
3 of Melinda as she is going to the car to take the Chinese
4 food home to her mother?

5 A. Well, first of all, I never knew about the Chinese
6 food. I never knew she was leaving back out the house to go
7 to her mother's house in the first place. That discussion
8 must have went on between her and Kadasha when they were in
9 the back room.

10 And yes, it did accidentally go off being that the
11 hanger -- because I had all of my clothes on a hanger. One
12 of the hangers snagged the trigger as I was swinging the
13 door open.

14 Q. Oh, I'm sorry, I didn't understand that. A hanger did
15 it?

16 A. Yes, ma'am.

17 Q. A clothes hanger killed Melinda Ford?

18 A. I mean if you want to put it that way.

19 Q. Well, that is the way you're putting it; isn't it?

20 A. I didn't pull the trigger myself so.

21 Q. You didn't pull the trigger?

22 A. No, ma'am.

23 Q. Now showing you State's Exhibit 20, you recognize
24 Melinda's keychain do you not?

25 A. Yes, ma'am.

1 Q. And do you see the little jar that she had the wine in?

2 It is a little difficult to see, on Number 4.

3 A. Well, I never saw her that afternoon with wine.

4 Q. You didn't see her with it?

5 A. No, ma'am.

6 Q. But you would agree that that is by her car?

7 A. Yeah, that looks like a wine glass that she would
8 normally use in the house.

9 Q. Well, tell the jury when she screamed no were you
10 pointing the gun at her already?

11 A. She never screamed no, ma'am.

12 Q. She never screamed no?

13 A. No, she did not.

14 Q. So the way you are describing this is the coat hanger
15 killed her. Kadasha sits in the house for a while, doesn't
16 come out when she has heard a shotgun blast that drew the
17 attention of Leonard Maxwell?

18 A. He didn't come out of the house immediately either.

19 Q. But he was looking at -- off the porch?

20 A. Well, if he did, I didn't see him. I wasn't looking
21 for nobody ---

22 Q. I just want to make sure I understand, Mr. Wright. So
23 Kadasha who says she hears her mother scream no, so much
24 that she jumped, stays in the house for a while after
25 hearing a shotgun blast; because this is when you are saying

1 you're having a conversation with the woman whose lungs have
2 been injured, ---

3 A. Yes.

4 Q. --- where all those pellets have gone through her, with
5 her liver macerated, bleeding to death, you are carrying on
6 a conversation, loving on her; is that what you said?

7 A. I wasn't loving on her.

8 Q. Well, didn't you say you were rubbing her or something?

9 A. No, I said I tried to lift her up. That is what I told
10 you, I tried to lift her up. And she told me no because she
11 was in pain, and I laid her back down.

12 Q. Gently, I'm sure.

13 A. Yes, of course.

14 Q. Gently. Of course. Of course. And you deny taking
15 that weapon and egging her on; hey?

16 A. No, ma'am.

17 Q. Kadasha, Kadasha is making that up?

18 A. Yes, ma'am.

19 Q. You saw Leonard Maxwell out there, right?

20 A. Eventually -- I don't know which ones -- two guys did
21 come. One of them came on the porch. The other one stood
22 in the doorway.

23 Q. Okay. And you had the opportunity to tell them oh my
24 God the coat hanger shot her; but you didn't, did you?

25 A. No, ma'am, I did not say that.

- 1 Q. You had Kadasha and those two guys right there that you
2 could have said help her, ---
- 3 A. Well, Kadasha ---
- 4 Q. --- help her.
- 5 A. Kadasha was screaming, so I didn't say much to Kadasha.
- 6 Q. You didn't say much to Kadasha?
- 7 A. No.
- 8 Q. And you didn't think enough to go get that phone and
9 try to get some help?
- 10 A. It would have been quicker and more convenient for her
11 to grab the phone because she was more closer to the porch
12 to get into the house.
- 13 Q. Okay. I just want to make sure I understand then. You
14 have got plenty of time to think it through; huh, should I
15 get my phone and call to get her assistance or no, you know,
16 what, it is more convenient for Kadasha to do it; that is
17 your thought process?
- 18 A. I wanted to stay by Melinda during that time. So I
19 asked Kadasha to go call for help.
- 20 Q. Did you put pressure on her?
- 21 A. Ma'am?
- 22 Q. Did you put any pressure ---
- 23 A. I never saw ---
- 24 Q. --- on her chest?
- 25 A. --- any blood coming out of her, so I didn't know where

1 she actually got hit at.

2 Q. Okay. How did you know she was hit?

3 A. Because she said so herself.

4 Q. In that conversation?

5 A. Yes, ma'am.

6 Q. And instead of staying there and making sure that
7 Melinda Ford who took you into her home got help, you became
8 concerned about Kadasha's family and Melinda Ford's family
9 coming and hurting you?

10 A. Yes, ma'am.

11 Q. So I'm confused. You tried to -- you shoot yourself
12 twice ---

13 A. Yes, ma'am.

14 Q. --- because you are so sad about what happened?

15 A. Yes, ma'am.

16 Q. But you don't want to stay and get hurt by family
17 members; ---

18 A. Yes.

19 Q. --- is that correct?

20 A. Yes, ma'am. I stayed there for a good while. I didn't
21 just leave the scene. I stayed there for a while. But then
22 the EMS, police, everybody was taking too long to get there.

23 Q. Okay. So when Leonard Maxwell and Darren Ravenel were
24 outside and they were on the phone with 911 and when Kadasha
25 is on the phone with 911 you're just out there figuring out

1 your options?

2 A. No, ma'am, I was on the ground by Melinda.

3 Q. For that whole time?

4 A. Up until the point until I left there, yes, ma'am.

5 Q. You got the heck out of there after you shot yourself,
6 did you not?

7 A. No, ma'am, after I shot myself I laid on the ground
8 next to Melinda. I laid on the ground next to Melinda. I
9 did not leave after I shot myself.

10 Q. And you were just laying there while Kadasha is
11 frantically looking for a working phone?

12 A. Well, by this time I thought that she had already
13 called. I never -- so she never came out asking for a phone
14 or nothing. So I assumed that she had already called help.

15 Q. Okay. Well, so you didn't see Kadasha run over to
16 Darren Ravenel's and Leonard Maxwell's looking for a phone?

17 A. I was on the ground with Melinda. My back was turned
18 towards them.

19 Q. Well, you said you'd didn't see her go get one so you
20 assumed that she had one?

21 A. Yes, ma'am.

22 Q. So you were making that assumption?

23 A. Yes, ma'am.

24 Q. The reason you shot yourself is you realized how much
25 you screwed up; isn't that true?

1 A. No, ma'am.

2 Q. You felt guilty for a minute until you started being
3 self protective; isn't that true?

4 A. No, ma'am.

5 Q. You're telling this jury that you take this shot- --
6 and how long have you had this shotgun?

7 A. I've had that shotgun for probably like maybe 16 years
8 or something that like.

9 Q. You take this shotgun, you kill the woman who you have
10 just been arguing with inside, and you're telling the jury
11 that you're sitting there figuring, huh, I'm going to kill
12 myself; no, I'm not going to kill myself; they might hurt
13 me. That all of that stuff is going on in your head?

14 A. Yes, ma'am, we were not arguing. Like I said, we were
15 having a discussion. There was no loud tone of voice. We
16 were having a discussion.

17 Q. Kadasha heard it.

18 A. I don't know if she -- she probably could have heard
19 it. What did she hear; I don't know.

20 Q. Well ---

21 A. Because we were not talking loud enough -- that's one
22 thing we never did; we never got in each other's face and
23 screamed at each other. We didn't do things like that.

24 Q. Mr. Wright, you came out of that room and you looked at
25 Kadasha and said I'm done. Isn't that true?

1 A. I told her that.

2 Q. And you were in such a hurry to get out of that house
3 that you took your clothes with the hangers still on them;
4 isn't that true?

5 A. I always do -- yes, ma'am, I do that.

6 Q. You always what?

7 A. Travel with my clothes on hangers, because sometimes I
8 hang them up in the vehicle.

9 Q. So you have got an answer for that too?

10 A. Yes, ma'am.

11 Q. And Leonard Maxwell, he called out to you when you put
12 the gun to yourself; did he not?

13 A. Yes, ma'am, I think someone -- I think he did it.

14 Q. Okay. And he said don't do it; but you shot yourself
15 anyway, right?

16 A. Yes, ma'am.

17 Q. And after you shot yourself you weren't flat on the
18 ground on your back, were you?

19 A. No, ma'am.

20 Q. In fact you were able to go to your truck, pick up one
21 of your bags of clothes, throw it in; in fact you ran to
22 your truck, did you not?

23 A. No, ma'am, I did not run to my truck.

24 Q. You walked?

25 A. Yes, ma'am, I did.

1 Q. And again, you said nothing to Leonard Maxwell about
2 this has been a terrible accident, please get Melinda help?

3 A. He had already -- they had already called for help.

4 Q. So again you leave it to Kadasha, leave it to Leonard;
5 and you are getting the heck out of there; is that correct?

6 A. To some point, yes, ma'am.

7 Q. You wanted to protect yourself pretty quick after this
8 thing happened, did you not?

9 A. No, ma'am, not pretty quick. But after I sat there and
10 thought about how the family members are - I know them. I
11 thought that it wouldn't have been good if they came over
12 there and saw something like that. And I thought for my
13 best interest it would be best for me to leave during that
14 time.

15 Q. So no question that your best interest was foremost to
16 you?

17 A. That wasn't foremost, because if that was the case I
18 would have left immediately.

19 Q. You were worried about yourself more than you were
20 worried about Kadasha, dealing with her mother?

21 A. No, ma'am, that was not the case.

22 Q. When you got in that vehicle and that phone was right
23 beside you did you call the police?

24 A. The phone actually was not right right beside me when I
25 got into that vehicle.

- 1 Q. Where was it?
- 2 A. It was underneath the bag.
- 3 Q. Not on the console?
- 4 A. No, ma'am. I placed it on the console.
- 5 Q. Later?
- 6 A. As I was driving. Because I was looking for it and ---
- 7 Q. Okay.
- 8 A. --- I placed it ---
- 9 Q. Okay.
- 10 A. --- on the console.
- 11 Q. Okay. Well, no question though that as you take a left
- 12 back onto Bohicket Road you had access to a phone; ---
- 13 A. No ---
- 14 Q. --- is that correct?
- 15 A. No, ma'am. After I got back onto Bohicket Road I went
- 16 past River Road and I'm driving down. I was fidgeting as I
- 17 was driving looking for the phone. And finally I stuck my
- 18 hand on the dri- -- passenger side seat where the bag was,
- 19 and I -- and the phone was sitting underneath the bag. And
- 20 that is when I then set and placed it on the arm rest. And
- 21 shortly after that, that is when the police car was
- 22 approaching in the opposite lane coming towards me.
- 23 Q. Why didn't you pull over for them?
- 24 A. Why didn't I pull over for them?
- 25 Q. Yeah, why didn't you pull over?

1 A. When he turned around and got behind me I actually did
2 pump my brake. I was about to pull over. But then also
3 another cop car that sat off to the left of the lane and he
4 actually had his gun pointed at me, and that scared me and I
5 just didn't stop.

6 Q. Well, this mysterious police officer you're saying that
7 he just was out of his vehicle with a gun on the side of the
8 road before you ever even approached there?

9 A. Yes, ma'am.

10 Q. And he just had a gun and it was pointed at your face
11 as you rode by?

12 A. Yes, ma'am.

13 Q. When you drove down that road you were willing to
14 endanger the lives of the people who were driving down that
15 road ahead of you, were you not?

16 A. No, ma'am.

17 Q. You didn't care about whether they had to pull over
18 where there was no shoulder, did you?

19 A. Well, they didn't actually have to pull -- they pulled
20 over because of the police car behind me. A lot of people
21 were thinking that he was actually trying to get around, I'm
22 assuming, and they start pulling over to the shoulder. But
23 I was not speeding at that point to harm anybody or endanger
24 anybody.

25 Q. But you admit you were speeding?

1 A. No, ma'am. I was doing like 40, 45 miles an hour; if
2 you consider that as being speeding.

3 Q. You admit that you went over in the left-hand lane to
4 avoid other cars that were trying to slow you down -- that
5 weren't trying to, but were slowing you down; is that fair
6 to say?

7 A. Yeah, I did swerve around a few cars.

8 Q. And again, never made a phone call when all of that was
9 happening?

10 A. How could I make a phone call when I am focusing on the
11 traffic in front of me, a cop car behind me. There is no
12 time to look down to dial a number to call for any help or
13 anything.

14 Q. Okay. So again, about these injuries to yourself, you
15 were able to drive a car fast; correct?

16 A. I drive the car at a normal speed.

17 Q. At a normal speed. And you were able to get around
18 vehicles that were ahead of you?

19 A. Yes, ma'am.

20 Q. And you were able to think a bunch of thoughts in your
21 head about what would be best about such and such as you
22 were doing this; is that correct?

23 A. No, ma'am, all just came to me as I was going.

24 Q. As you were going. When you got out of the truck --
25 well, first of all let's talk about that bump you hit. When

1 you went over that railroad tie that didn't slow you down,
2 did it?

3 A. See, I didn't know -- I -- I'm pretty familiar with
4 that area, and I haven't been in that area in about a year
5 or so. And you used to could have just drive right through
6 that little path to get to the softball field. I was
7 unaware that that thing was even lying down there.

8 Q. Oh, I don't doubt that you didn't know that it was
9 there. But it didn't slow you down and make you think maybe
10 I should stop; is that correct?

11 A. Yeah, it did. But I also lost control of the vehicle.
12 Once I went up in the air and came back down I lost control
13 of the vehicle. The vehicle then spin around and all I
14 could see is cop cars coming.

15 Q. Well, now the cop cars weren't there, were they?

16 A. They start approaching from different angles. Tried I
17 guess to barricade me in or whatever they were trying to do.

18 Q. So even with the shot you were able to maneuver your
19 truck over one wire fence; is that correct?

20 A. Yes, ma'am.

21 Q. And you went through that baseball field. You were
22 getting out of there as fast as you could, were you not?

23 A. I was getting -- I was moving -- I was getting out of
24 there fast. But I was planning on getting away from the
25 cops to safety.

1 Q. Getting away from the cops to safety?

2 A. Yes, ma'am.

3 Q. You didn't leave Melinda Ford in a very safe position,
4 did you?

5 A. No, ma'am, she wasn't safe with the gunshot wound, no,
6 ma'am.

7 Q. And when you got out of that truck you were able to get
8 out of there and get to a house before the police could get
9 to you; is that correct?

10 A. Yes, ma'am.

11 Q. And you were in that house until you saw that most of
12 the police had gone; is that correct?

13 A. Yes, ma'am.

14 Q. But you would agree that your instincts after your
15 initial one of guilt was to protect yourself; is that
16 correct?

17 A. Well, I mean I felt guilty due to that fact that this
18 accident occurred, you know, basically upon me with the
19 clothes traveling out of the house and the gun went off. So
20 yeah, I did feel some guilt about that.

21 Q. With the clothes traveling out of the house and the gun
22 going off?

23 A. Yes, ma'am.

24 Q. You loaded the gun and racked it and shot it, did you
25 not?

- 1 A. No, ma'am, I did not.
- 2 Q. But you will agree that you fled and you fled and you
3 fled; is that correct?
- 4 A. Yes, ma'am.
- 5 Q. Now you have mentioned to us who Chica Lockwood was; is
6 that correct?
- 7 A. Yes, ma'am.
- 8 Q. And she is the mother of one of your children?
- 9 A. Yes, my oldest daughter.
- 10 Q. And you would agree that she went to go see you when
11 you were in jail; is that correct?
- 12 A. Yeah, she came -- she came and saw me on several
13 different occasions.
- 14 Q. And she had asked you what happened that night?
- 15 A. No, she never asked me what happened.
- 16 Q. Chica Lockwood never asked you what happened?
- 17 A. I don't recall her asking me what happened.
- 18 Q. Well, you sure didn't tell her; did you?
- 19 A. No, I sure didn't.
- 20 Q. Going back for a second, when you came out of the woods
21 and you're approaching that one police officer, Matt
22 Colburn, tell the jury when you approached him did you say
23 I've got to tell you what happened, it was an accident; did
24 you tell Matt Colburn that?
- 25 A. I did -- I did told -- told one of the officers it was

1 an accident. And when he asked me did I -- was I hurt, and
2 I did told him I was shot.

3 Q. So you are now saying that you told an officer it was
4 an accident?

5 A. Yes.

6 Q. When EMS showed up did you tell them that there had
7 been this horrible accident?

8 A. No, ma'am, I did not.

9 Q. You didn't tell EMS that?

10 A. No, ma'am.

11 Q. You didn't tell Chica Lockwood?

12 A. No, ma'am.

13 Q. Now Nori Banks, she had worked with you at Dunkin
14 Donuts?

15 A. Yes, she has.

16 Q. And she came to see you about 15 times while you were
17 in jail; is that correct?

18 A. Probably. She came a lot of times to see me. So
19 that's probably right.

20 Q. And she asked you what happened that night?

21 A. If I'm not mistaken I think she did ask me.

22 Q. And you didn't tell her, did you?

23 A. I don't -- I don't recall.

24 Q. I don't recall. Here is someone you had worked with
25 who took time out of her days at least 15 times to come see

1 you and you never told her about the great accident?

2 A. No, ma'am. Not to my knowledge I don't recall telling
3 anybody about the accident.

4 Q. You didn't tell anybody about the accident?

5 A. Other than the officer who asked me when I came out of
6 the woods.

7 Q. I just wanted to make sure I heard you correctly. You
8 told no one about the accident ---

9 A. Other than ---

10 Q. --- except that officer?

11 A. Yeah, I don't recall telling anyone else the incident.

12 Q. Even your visitors?

13 A. No.

14 Q. And Tamika Smalls, you dated her before you dated
15 Melinda; is that correct?

16 A. That is correct.

17 Q. She asked you what happened that night; didn't she?

18 A. I don't think she ever asked me what happened.

19 Q. Did you tell her?

20 A. No, ma'am, I did not.

21 Q. Now Jodie Grant came to see you once, right?

22 A. I think he actually came twice.

23 Q. Okay two times. And you have known Jodie since y'all
24 were little boys; is that correct?

25 A. That's correct.

- 1 Q. And y'all hunted together?
- 2 A. Yes, ma'am.
- 3 Q. And he asked you what happened that night?
- 4 A. He did ask me.
- 5 Q. And he actually put some money in your canteen at the
- 6 jail; is that correct?
- 7 A. That's correct, he did.
- 8 Q. And when you're in jail you have to have someone agree
- 9 to pay for calls from the jail; is that correct, so that you
- 10 can call him from the jail?
- 11 A. Yes, ma'am.
- 12 Q. And Jodie Grant did that for you; is that correct?
- 13 A. Yes, ma'am.
- 14 Q. And you told him, did you not, I messed up, ---
- 15 A. No, ma'am.
- 16 Q. --- I messed up?
- 17 A. No, ma'am, I ---
- 18 Q. You did not tell Jodie Grant that?
- 19 A. I don't recall telling Jodie Grant that I messed up.
- 20 Q. Well, he stopped having anything to do with you, didn't
- 21 he?
- 22 A. His minutes ran out. Because he works -- he does
- 23 landscaping work, and when it rains he is not able to work.
- 24 So he might only work two or three days out of the week. He
- 25 didn't have the funds to continue to place minutes on the

1 phone.

2 Q. And that's why he didn't come see you -- I mean that's
3 why he, you never saw him again and you never spoke to him
4 again?

5 A. He came by -- like I said, he came by like twice. And
6 I think I talked to him through someone else once.

7 Q. And you didn't tell him about the accident?

8 A. No, ma'am.

9 Q. You were friends since you were children?

10 A. Yes, ma'am.

11 Q. Your friend who knew that you were in jail on a murder
12 charge?

13 A. Yes, ma'am.

14 Q. You didn't think to share with him what you're telling
15 this jury today?

16 A. No, ma'am, I didn't think to share with him due to the
17 fact that those phones do record and I was advised not to
18 discuss my case or what was going on in the matter to anyone
19 over those phones. And it indicates that to you when you
20 are placing a call saying the call is being recorded.

21 Q. Well, what about when he saw you twice?

22 A. I never -- I never said anything to him.

23 Q. You never said anything about it to him?

24 A. No.

25 Q. And 16 days after you shot Melinda Ford you did have a

1 conversation from the jail with Chica Lockwood, didn't you?

2 A. Yes, ma'am.

3 Q. And during that conversation --

4 MS. SHEALY: Beg the court's indulgence just a moment.

5 Q. During that conversation you told her -- and that was
6 on March 4th; is that correct? Do you remember that?

7 A. I don't remember the exact date of the conversation.

8 Q. But you would agree it was about 16 days after Melinda
9 Ford was killed?

10 A. I don't remember how many days after. But I do recall
11 talking to her on the phone.

12 Q. And you told her: If God make a way for me to get out
13 of this situation - God make a way - I promise you, Chica, I
14 promise you, I promise you on my grave if I get out of this
15 situation right here you ain't messing with nobody; I've
16 been gonna marry you. I gonna let the shit go this far and
17 you're gonna see a whole different Timmy. I ain't going to
18 let it slip. And you run across my mind like I say before.
19 You just been running across my mind. But you had your
20 stuff going on, and I had my stuff going on. It just ain't
21 been the right time. But as soon as I find a way to try to
22 get myself out of this situation right here -- and she tells
23 you, you've got to pray, Baby. I pray, you said, I get out
24 of this situation right here. And if I get out of this
25 situation I will be all right.

1 Is that right?

2 A. Yes, ma'am, I do recall that conversation.

3 Q. And you said: I promise you on my grave if I get out
4 of this situation right here you ain't messing with nobody;
5 I've been gonna marry you. Is that right?

6 A. Yes, ma'am, I do recall that.

7 Q. And with Melinda Ford dead on that afternoon when
8 Kadasha comes out and you're going huh, huh, huh, 16 days
9 later you are thinking of marrying a woman; is that correct?

10 A. Actually I wasn't thinking -- I think I over reacted
11 when I told her about the marriage part. But the reason why
12 I told her that was because due to the fact that I have been
13 in a car accident and I've had appendix taken out and no
14 matter what if I didn't have contact with her for months if
15 she heard that something was going on with me she was there
16 for me.

17 And that is what I told -- that's the reason for me
18 telling her those things. Because no matter -- she was
19 always there for me.

20 Q. Was always there for you?

21 A. Yes, ma'am.

22 Q. And this woman who was always there for you that you're
23 saying if I can get out of this I'm going to marry you, you
24 didn't think enough to tell her about the accident; is that
25 correct?

1 A. I did not discuss the case with her.

2 MS. SHEALY: Beg the court's indulgence just a moment.

3 THE COURT: Yes, ma'am.

4 Q. Mr. Wright, having been a hunter for the number of
5 years that you said, was there no safety on this shotgun?

6 A. Yes, ma'am, there is a safety on that shotgun.

7 Q. So did the coat hangers deal with the safety as well?

8 A. No, ma'am, like I -- like I had explained earlier, when
9 we went out -- when I went out -- we went out to stop the
10 dogs. If I'm on a deer stand and the deer crosses the
11 highway onto somebody else's property I'm ready -- I've got
12 the gun ready to be fired. So the safety is off. As I hear
13 the dogs getting closer I knock the safety off.

14 When the deer ran across the road that's when I put the
15 gun back in the vehicle so I can go on the other property
16 and get the dogs.

17 Q. So you have got an answer for that?

18 A. It is a truthful answer.

19 Q. When your vehicle was parked that day you were facing
20 out; is that correct?

21 A. No, ma'am.

22 Q. You were not facing out?

23 A. No, ma'am.

24 Q. And you told us that Kadasha was like a daughter to
25 you?

1 A. Yes, ma'am.

2 Q. Now that phone that you got from Boost Mobile it wasn't
3 already ready to go was it?

4 A. Yes, ma'am.

5 Q. Oh, it was?

6 A. Yes, ma'am.

7 Q. It was ready to go?

8 A. Yes, ma'am.

9 Q. And so Kadasha who you felt like was a daughter to you,
10 you left her behind at the scene with her dying mother; did
11 you not?

12 A. I did leave them behind.

13 Q. And never told her it was an accident?

14 A. She was screaming and she -- I'm quite sure she didn't
15 want to hear anything on what I had to say during that point
16 in time. She was screaming. She was upset so.

17 Q. Wouldn't that have been the time to calm her down about
18 how it happened?

19 A. She was moving around. She -- not like she was in one
20 spot. She was bouncing around all over the place.

21 Q. Because she was 15 years old; is that correct?

22 A. Right.

23 Q. And you thought no more of the young girl that was like
24 a daughter to you to make that situation better for her;
25 isn't that right?

- 1 A. Yes, ma'am, I was -- yeah, I didn't think -- I was
2 thinking during that time to make it better; but then I was
3 also thinking about, you know, what if her family members
4 had came, what if they had came over there and tried to harm
5 me in the process of I'm talking to Kadasha and something
6 happened to her in that process also.
- 7 Q. Oh, wait a minute. Okay, I don't think you told us
8 that before. When you said that the family members were
9 going to come over there armed you thought they were going
10 to hurt Kadasha?
- 11 A. No, ma'am, that is not what I'm saying.
- 12 Q. Well, isn't that what you just said?
- 13 A. I'm saying in the process of me trying to calm her down
14 being that they could have tried to have got at me she could
15 have got hurt in the process also.
- 16 Q. So you were thinking all of that in the moments after
17 you shot Meinda Ford what the best way to handle that would
18 be; is that what you're telling the jury?
- 19 A. Well, I did not shoot Melinda.
- 20 Q. It was an accident?
- 21 A. It was an accident.
- 22 Q. Caused by coat hangers?
- 23 A. Yes, ma'am.
- 24 Q. And this accident you never told to the ones who cared
25 about you; is that correct?

1 A. No, because I was instructed not to tell anybody -- I
2 didn't even tell my mother -- up until today this is the
3 first time my mother ever heard this story. And that is my
4 closest friend right there. And I never even told her about
5 it.

6 Q. You never -- you would rather her have sat there with a
7 murder warrant on you than to tell her, Mom, I've got to
8 tell you how it happened; that is what you're telling the
9 jury?

10 A. I did not discuss it with her.

11 MS. SHEALY: I have nothing further.

12 THE COURT: Re-direct.

13 MS. SHEALY: Yes, Your Honor

14 **REDIRECT EXAMINATION BY MR. SMITH OF TIMOTHY WRIGHT:**

15 Q. Just so we're clear about after the gun goes off when
16 you realize Melinda is hit, do you go over to her?

17 A. Yes, sir.

18 Q. Okay. And did you have the gun with you when you went
19 over?

20 A. I had dropped the gun like feets away from her maybe or
21 something like that.

22 Q. Okay. At any point were you ever pointing it at her or
23 holding it over her?

24 A. No, sir, up until the point where -- there was a point
25 one time when I had the gun near her but not pointed at her.

1 And that was after I shot myself the first time when I --
2 she yelled out, I went back over there. And I still had the
3 gun in my hand during that time holding it with one hand
4 like this (motioning). But pointing it directly at her, no,
5 sir, I did not.

6 Q. Okay. And what did you mean on that -- on that jail
7 call when you said when I get out of this situation?

8 A. What I meant was I am charged with a charge. I
9 understand that Melinda died and, you know, and I just -- I
10 just -- I don't feel like I should have been charged because
11 I didn't deliberately harm her. I didn't meant for any harm
12 to happen. It was an accident, so that's what I meant by
13 when I get out of this situation.

14 I'm in a situation where I'm charged at a higher charge
15 than I should actually be charged with.

16 Q. And who told you not to talk to anyone about the case?

17 A. The first -- the officer advised me not to talk to
18 anybody. I think it was a Detective Goldstein. And
19 officers in the detention center also stated that I don't
20 need to talk to anyone about that case.

21 Q. And you decided not to talk to them?

22 A. Yes.

23 MR. SMITH: No other questions, Your Honor.

24 THE COURT: Any re-cross?

25 MS. SHEALY: Nothing further, Judge.

1 crime?

2 MS. SHEALY: I do.

3 THE COURT: All right. I will do that. Any exceptions
4 from the defense?

5 MR. SMITH: No, Your Honor.

6 THE COURT: Okay. Bailiff, bring the jury back,
7 please.

8 (WHEREUPON, break 3:17 p.m., February 4, 2015.)

9 (WHEREUPON, instruction from the court for attorney to
10 review exhibits, interrupted by word from the bailiff that
11 jurors are ready.)

12 (WHEREUPON, the jury enters 3:18 p.m., February 4, 2015.)

13 THE BAILIFF: All jurors are present, Your Honor.

14 THE COURT: Okay. Thank you very much. Madam
15 forelady, ladies and gentlemen of the jury, I neglected to
16 tell you on the charge of possession of a pistol during a
17 violent crime, murder is a violent crime; involuntary
18 manslaughter is not a violent crime.

19 Madam forelady, if you will go back to the jury room.
20 Thank you very much. And we will get the exhibits in to you
21 very shortly.

22 (WHEREUPON, jury exited the courtroom 3:19 p.m. February 4,
23 2015.)

24 THE COURT: If y'all would come and make sure all the
25 exhibits are present.

1 (WHEREUPON, jury enters courtroom 5:23 p.m., February 4,
2 2014.)

3 THE COURT: Madam forelady, these are indictments that
4 I have talked about previously. And I've left you a verdict
5 on the indictment. I am going to ask the bailiff to come
6 and get you to sign. And I've dated it today, February
7 the 4th, 2015. And get you to sign right beside the date.

8 FORELADY: Yes, sir.

9 THE COURT: There are two of them.

10 FORELADY: Is there two?

11 THE COURT: Did you sign both of them?

12 FORELADY: Okay.

13 (WHEREUPON, documents were presented by the bailiff to the
14 court.)

15 THE COURT: Thank you, ma'am. Madam clerk, if you will
16 publish the verdict, please.

17 THE CLERK: In the Court of General Sessions for the
18 Ninth Judicial Circuit, Case Number 2013-GS-10-3170, State
19 of South Carolina, County of Charleston, State of South
20 Carolina versus Timothy James Wright, we the jury on the
21 charge of murder by unanimous consent find the defendant,
22 Timothy James Wright, guilty.

23 On the charge of possession of a firearm during the
24 commission of a violent crime, we the jury on the charge of
25 possession of a firearm during the commission of a violent

1 crime by unanimous consent find the defendant, Timothy James
2 Wright, guilty.

3 Signed forelady of the jury, February the 4th, 2015.

4 Ladies and gentlemen of the jury, if this is your
5 verdict please raise your right hand.

6 (WHEREUPON, the jurors unanimously complied.)

7 THE CLERK: Thank you.

8 THE COURT: All right. Let the record reflect all
9 twelve jurors raised their right hand.

10 Is there any motions as to the jury?

11 MR. SMITH: We just ask that you poll the jury, Your
12 Honor.

13 THE COURT: All right. Madam clerk, would you poll the
14 jury, please, ma'am.

15 Any from the State?

16 MS. SHEALY: No, Your Honor.

17 THE COURT: Okay.

18 THE CLERK: Ladies and gentlemen, I am going to ask you
19 two questions. I will first call your juror number and then
20 I will ask you is this your verdict. You will answer yes or
21 no. I will ask you then again is this still your verdict.
22 Again you will answer yes or no.

23 (WHEREUPON, each juror was individually polled and each
24 answered in the affirmative to both questions.)

25 THE CLERK: The jury has been polled, Your Honor.

1 THE COURT: Okay. Thank you very much. All right.
2 Solicitor, Ms. -- I'm sorry, Mr. Wright, Mr. Smith, Ms.
3 Runey, I am going -- it is 5:30, and I am not going to
4 sentence him tonight. I will do sentencing in the morning
5 at 11 o'clock. If you will be back at 11 o'clock in the
6 morning we will do sentencing.

7 Bring the sentence sheets. You may have them now, but
8 I'm going to postpone sentencing until 11 o'clock in the
9 morning. I will see you then. The bailiffs may take the
10 jury to the jury room. Thank y'all very much.

11 MS. SHEALY: Thank you.

12 (WHEREUPON, the jury exited 5:21 p.m., February 4, 2014.)

13 THE COURT: Let me see the lawyers up here.

14 (WHEREUPON, bench conference was had at 5:21 p.m. and
15 recessed for the day February 4, 2015.)

16 (WHEREUPON, resumed February 5, 2015, 11:11 a.m. for
17 sentencing.)

18 MS. SHEALY: Your Honor, may we approach for a second?

19 THE COURT: Yes, ma'am.

20 (WHEREUPON, bench conference was had at 11:11 a.m.)

21 (WHEREUPON, proceedings recessed 11:11 a.m.)

22 (WHEREUPON, proceedings resumed 11:15 a.m.)

23 THE COURT: All right. We are here for sentencing on
24 Timothy James Wright. And I understand the victims are
25 here; is that correct, Solicitor?

1 MS. SHEALY: That is correct.

2 THE COURT: All right. I will be glad to hear from you
3 or from anyone you would like for me to listen to.

4 MS. SHEALY: Thank you, Your Honor.

5 THE COURT: After the State presents whatever, I will
6 be glad to hear from the defendant and what you would like
7 for me to listen to.

8 MS. SHEALY: Your Honor, if we could first focus our
9 attention on Mr. Wright. Obviously this is not a situation
10 where he came in and accepted responsibility for his
11 actions.

12 I am unaware of anything difficult about this
13 gentleman's childhood. I believe he has had his mother
14 present during his trial. He enjoyed the benefit of her
15 being able to visit him in jail as he will when he goes to
16 prison.

17 In looking back at his prior record I had indicated
18 previously to the court that he has a conviction in 1998,
19 possession of cocaine. His 2001 simple assault conviction
20 involved his striking a girlfriend on her face with his
21 fist.

22 THE COURT: Was that reduced from a higher charge, or
23 could you determine? Was it reduced from I guess at that
24 time high and aggravated to simple, or was it simple all
25 along?

1 MS. SHEALY: Beg the court's indulgence just a moment.
2 The way it reads is -- hold on just a second and I will

3 THE COURT: I will ask Mr. Wright.

4 Mr. Wright, you were charged back in '01 on simple
5 assault. Were you originally charged with high and
6 aggravated -- assault and battery high and aggravated, it
7 was reduced and you pled guilty that; or were you originally
8 charged with simple assault, or do you know?

9 MR. WRIGHT: I was originally charged with simple
10 assault.

11 THE COURT: Okay. Thank you.

12 MS. SHEALY: The way the rap sheet reflects it, it says
13 arrest charge, assault and battery, conviction, simple
14 assault.

15 THE COURT: Okay.. All right.

16 MS. SHEALY: And again, that was from striking a
17 girlfriend at the time. Now I'm not going over just
18 incident reports. I am only going over convictions.

19 THE COURT: You can go over his incident reports.

20 MS. SHEALY: Well, there are other ---

21 THE COURT: Are there some where they weren't reduced
22 to arrest?

23 MS. SHEALY: I'm sorry, say that again.

24 THE COURT: Are you talking about there are some
25 incident reports where they did not issue arrest warrants?

1 MS. SHEALY: They either did not issue arrest warrants
2 or the victim backed out.

3 THE COURT: Well, I would like to hear from those.

4 MS. SHEALY: Okay.

5 THE COURT: We are not at trial. We are at sentencing.

6 MS. SHEALY: Beg the court's indulgence just a moment.

7 THE COURT: Obviously at trial they wouldn't be
8 admissible. I would like to hear about them.

9 MS. SHEALY: While my law clerk is looking for the
10 other incident reports I will go ahead and address another
11 conviction.

12 There is an assault and battery third charge from 2012,
13 June 2nd of 2012. He was accused of striking his wife's
14 16-year-old daughter causing her to have an abrasion on her
15 chest and some light bleeding. He was convicted of that.

16 And I think it is of interest two days later he files
17 an incident report because his wife removes his handgun from
18 his vehicle. Certainly I suggest -- it is suggestive of she
19 was scared for him to have a gun.

20 THE COURT: I know we have got first, second, and
21 third. Third is ---

22 MS. SHEALY: Third is like simple assault.

23 THE COURT: Third is the same as simple, right?

24 MS. SHEALY: Yes, ---

25 THE COURT: Okay.

1 MS. SHEALY: --- it is.

2 THE COURT: All right.

3 MS. SHEALY: It is. So, Judge, we certainly can see
4 episodes of violence in this defendant's background. They
5 appear to be of a domestic nature, even though he and Ms.
6 Ford had no prior violence in their relationship prior to
7 the day in question.

8 Let me see if we have found that incident report.

9 In July of 2001 there was no arrest, but a girlfriend
10 called during an argument asking for the police to come and
11 diffuse the situation out of fear of where it was leading.

12 And in September of 2003 there was a criminal domestic
13 violence charge involving the victim Tymeia Davis who he has
14 testified is one of the mothers of one of his children. He
15 grabbed her hair and punched her in the face.

16 THE COURT: Okay.

17 MS. SHEALY: So we are seeing a pattern of abusive
18 behavior on the part of Mr. Wright towards females, towards
19 those that he is in a relationship with, and even the
20 children of those that he was in a relationship with.

21 And looking at that - and I know Your Honor has had the
22 benefit of watching both of Ms. Ford's daughters testify.
23 You know, it is interesting to look at this through the lens
24 of each of the individual children's eyes. Kadasha who had
25 enjoyed a delightful morning with her mother and her

1 grandmother, and for this to have occurred while she is
2 inside starting a load of clothes, thinking her mother is
3 running out to take this Chinese food back to her own
4 mother.

5 And we have heard the frantic behavior of Kadasha in
6 trying to find a phone to use and wondering where is EMS and
7 trying to provide aid to her mother. And her words are
8 chilling on that 911 tape: Are you serious. Are you
9 serious. He shot my momma because they had an argument.

10 That is a nice summary of exactly the atrociousness of
11 the act on Mr. Wright's part.

12 But then Chrisshon to have gotten off work and had no
13 idea what she was approaching and to drive up in that yard
14 and see her mother on the ground and the hysteria in her
15 voice trying to absorb what all had happened and to get on
16 her knees and to breathe life into her mother's mouth, to
17 attempt to do so.

18 And then Davion, the little boy, was with his father
19 that weekend having no idea that he would never see his
20 mother again.

21 And then Melinda Ford's mother herself, getting a phone
22 call from Kadasha, mamma is bringing your food over and then
23 later getting the phone call, momma has been shot.

24 You know, there is no substitute for losing a mother.
25 Kadasha and Chrisshon she won't be there for their weddings.

1 They won't have their mother there for her babies that
2 are -- that will be born. Nor will Davion. Kadasha and
3 Davion won't have their mother there for their high school
4 graduations or for her counsel.

5 But look what Melinda Ford lost. She lost all of that,
6 to not be able to experience that. She was only 37 years
7 old.

8 Here is a photograph that the children have brought
9 just so you can see their mother.

10 (WHEREUPON, photograph presented to the court.)

11 THE COURT: Thank you, ma'am.

12 MS. SHEALY: And we have seen the house from the
13 photographs that were presented, photographs of her children
14 in all the rooms. A family's home that she allowed this man
15 to come into. I believe, Your Honor, that both of the
16 daughters would like to address the court.

17 The State is asking life. This is palpable, the loss
18 for these children.

19 THE COURT: This is what? I'm sorry.

20 MS. SHEALY: Palpable.

21 THE COURT: Okay.

22 MS. SHEALY: The loss for these children. And you see
23 the other family members who have been there throughout the
24 entire trial. Melinda Ford was beloved.

25 It strikes me as particularly difficult that the

1 children are not in the same home with their brother
2 anymore, the girls. It has divided the family. Not
3 emotionally. They still love their brother. But their
4 brother is not with them anymore. If you could hear from
5 Kadasha.

6 THE COURT: I would be glad to. Yes, ma'am.

7 MS. Kadasha J. : My name is Kadasha ---

8 THE COURT: Move to your left -- okay, she moved; so I
9 can see you. Go ahead.

10 MS. Kadasha J. : My name is Kadasha J. . And
11 I think he deserves life in prison because he took my mom's
12 life. And he has made my family torn apart. My family is
13 hurt. That is all I have got to say.

14 THE COURT: Let me ask you a question if I may. How
15 long had your mother and Mr. Wright been living together? I
16 think you testified at trial, but I don't remember what you
17 said?

18 MS. Kadasha J. : Like four months.

19 THE COURT: Four months?

20 MS. Kadasha J. : Yes, ma'am.

21 THE COURT: All right. During that four months period
22 did you observe any arguments or any physical contact with
23 Mr. Wright?

24 MS. Kadasha J. : Only one time.

25 THE COURT: Pardon?

1 MS. Kadasha J. : Only one time.

2 THE COURT: Was that this incident we tried, or was
3 that prior to this time?

4 MS. Kadasha J. : It was during the time that
5 he ---

6 THE COURT: Prior to this time?

7 MS. Kadasha J. : Yes, sir.

8 THE COURT: Can you tell me a little bit about it, what
9 you remember?

10 MS. Kadasha J. All I just heard was him yelling
11 at her. Just I didn't hear my mom yelling back, but I heard
12 him yelling at her.

13 THE COURT: Okay. Thank you so very much.

14 MS. Kadasha J. : You are welcome.

15 THE COURT: Yes, ma'am, anybody else?

16 MS. KRASHON JENKINS: My name is Chrisshon, oldest
17 daughter of Melinda. I think we all here, my family and I,
18 have been waiting two years for this day here; and I do
19 believe that Timmy deserves life because my mom was only 37
20 years old when she got killed. She needed to live a full
21 live. So I feel like he shouldn't be able to live his whole
22 life outside of society. So I just feel that he does
23 deserve life in jail.

24 And then also my mom's loss isn't the only loss that
25 we -- my little brother Davion he was taken away from us,

1 from his dad all the way to another state. And he didn't
2 want to be there, so he was basically taken against his
3 will. He wants to be at home with us, but he can't because
4 that is just the effects of what -- of what he did.

5 And also I am raising my sister, my 17-year-old sister
6 along with the help of some of my family. But I'm only 21.
7 I shouldn't be having to deal with what -- not that I'm
8 complaining that I have, but I have to do whatever I have to
9 do to support my sister. And with that I do have two jobs
10 to make sure that I do whatever I can do for her.

11 THE COURT: Anything -- thank you so very much. I
12 appreciate it. I'm sorry about your loss.

13 MS. SHEALY: Your Honor, just briefly. I think you can
14 tell by the way Kadasha and Chrisshon speak that Melinda
15 Ford did an excellent job in raising her children. And in
16 that these two individuals had only been together for a few
17 months it was more of like a honeymoon period.

18 Mr. Wright testified and acknowledged that people began
19 telling Melinda Ford about Timothy Wright. And earlier that
20 day she had a conversation with her cousin or they ran into
21 a cousin while they were shopping. And that cousin also
22 shared with Melinda Ford you need to watch out for Timothy
23 Wright.

24 So the fact that there had not been anything physical
25 of a physical nature between them before this date was they

1 just weren't deep enough into a relationship. And obviously
2 when you shoot her in her back and kill her four months in,
3 that is the heightness -- heightened episode obviously of
4 violence.

5 We have nothing further at this time. Thank you.

6 Oh, I'm sorry. This is Isis Frasier. She is the
7 cousin of Melinda Ford who I was just mentioning had seen
8 Melinda earlier that day while shopping.

9 THE COURT: Who -- that -- have you got that letter
10 that is marked Court's Exhibit?

11 MS. SHEALY: The concerned citizen's letter?

12 THE COURT: Yeah, where is it?

13 MS. SHEALY: We don't know who the author of that is.

14 THE COURT: Have you got the letter?

15 THE COURT REPORTER: All the evidence is downstairs.

16 MS. SHEALY: All the evidence is downstairs.

17 THE COURT: I read that letter. And it is marked as
18 Court's Exhibit.

19 MS. SHEALY: Right. And I think it is sort of telling
20 that Mr. Wright had it in his glove compartment. He says
21 Melinda Ford had read it. I don't know whether she had read
22 it or not or whether he intercepted it.

23 THE COURT: So you don't know the author of that
24 letter?

25 MS. SHEALY: I do not know the author of that letter.

1 That letter references the way he treated his wife and her
2 child and warned of his behavior. And then I think Isis
3 Frasier would like to share with you her -- I'm not sure
4 what she wants to share.

5 THE COURT: Okay.

6 MS. SHEALY: But she is a cousin of Melinda Ford.

7 THE COURT: Isis, what is your last name?

8 MS. FRASIER: Frasier.

9 THE COURT: Ms. Frasier, I would be glad to hear you.

10 MS. FRASIER: Yes, sir. Actually the day Melinda and
11 I -- our grandmothers are sisters. I went -- Melinda and I
12 would text periodically, especially if there were different
13 things going on. And there was a show that was coming to
14 town. She texted are you and your husband going to the
15 show. And I said no, are you. She said yes. And I said
16 well okay, cousin, have fun.

17 Well, on Facebook she was getting ready to go to the
18 show. I said looking good cousin. Different people
19 responded telling her she looks really nice, the night
20 before.

21 That Saturday we were in -- I was in the Burlington
22 West Ashley parking lot, and we went into City Trends and
23 Melinda walked in. And she said Isis, and I turned around.
24 And I said well did you have fun. Because if you know
25 Melinda she is usually bubbly, upbeat. She likes to dress.

1 And just -- it just her aspect, something was wrong that
2 day.

3 And I said what is wrong. She said girl, I did not
4 have a good night. And I said why, the show was bad? She
5 said, I don't know. She said, I could not enjoy the show.
6 From Johns Island, out to eat, to North Charleston, she said
7 to the show, my boyfriend and I argued. And I said, your
8 boyfriend. And we would always talk about different things.
9 And she said, girl, yes.

10 And I said you have a boyfriend, who is your boyfriend.
11 She said, girl he told me not to tell you who he is. And I
12 said well how does he know me. She said wait a minute, let
13 me tell you the story first before I tell you.

14 She said I was looking at your picture on Facebook.
15 Dasha was in the kitchen. I said, oh, man, I'm proud of
16 Isis and her weight loss and she looks so good. And she
17 said her boyfriend said, who, big fat Isis?

18 And she said wait a minute, don't call my cousin big,
19 fat; Isis looks really good and has lost a lot of weight.
20 And he said how do you know Isis. She said we are cousins.
21 And Desmona's daddy, that is my uncle too. And he said,
22 well don't -- don't tell Isis about you and I because Isis
23 always has something to say. And she and Mimi, Tamia Davis,
24 are really close and I don't want her to know that I am at
25 your house because Mimi still wants me. Verbatim.

1 And I said well, Melinda, he is lying. And I said --
2 and I asked her, I said well why would you go with Timmy, he
3 used to date our uncle's daughter and how he used to beat
4 her when we were undergrads at South Carolina State. I was
5 at Bennett, and she was at State. In 1997.

6 I met Timmy when we were in high school our senior --
7 senior time. He was going with our uncle's daughter. And I
8 asked Melinda. She said, Isis I did not know until recently
9 that that is the Timmy.

10 And then she began to tell me about a mark like this
11 bruise he had around the groin area. I don't know what's in
12 his pants. He has a deep like gash. And he said it
13 happened because Mimi tried to kill him and this long story.
14 And I said, Melinda, be careful.

15 And I asked her, I said has he ever hit you. And she
16 said no. She said but Isis I see it in him. And I said
17 well what do you mean. And she said it is just this look.
18 She said, well I think he has it because it is a thing with
19 all the brothers that I had.

20 And she said -- she started naming all these -- these
21 ladies and if I knew this lady named Althea and all these
22 different people was calling her.

23 And I said to my cousin I said the Lord sends a warning
24 before destruction. But I had no idea that would be the
25 last time that I would see her and hear her voice. And she

1 texted me a couple of hours later just to ask a question.

2 And I said Melinda, leave it alone.

3 And then a friend of mine, Tasha Miller comes beating
4 on my door, did you hear about Melinda. I said what
5 happened, Melinda who. She said your cousin, Timmy killed
6 her.

7 And I just don't understand why he had to kill her. He
8 could have just left her alone. And it saddens me
9 especially my years all the years I've been a clinician for
10 Charleston County for all these 11 years until I left in
11 2011. I've worked drug court, juvenile drug court. I've
12 never encountered someone who is so callus, has not said I'm
13 sorry, not said forgive. Nothing.

14 He reminds me of an addiction that is cunning and
15 baffling and that will hit you with the element of surprise.
16 And I am deeply saddened along with our family that he took
17 her life for no reason. Can't understand it. For selfish
18 reasons.

19 And I am very disappointed and I am hurt. And not only
20 does he have small children -- like he told Melinda, I've
21 been friends with his kid's mother since we have been like
22 seven years old. And his children, those little boys who I
23 know personally, Timothy and Malek are suffering. And his
24 son Timothy is following in his footsteps. When he was
25 arrested he was sentenced over there in juvenile detention

1 over headquarters, can't understand what is going on and
2 trying to find a way to actually cope and is headed down the
3 same path to further penetrate in the criminal justice
4 system.

5 I am sorry this -- we lost a loved one. We can't go
6 and visit Melinda. But his family and his children can
7 still visit him. And that's all I have to say.

8 THE COURT: Okay. Thank you so very much. Anything
9 else, Solicitor?

10 MS. SHEALY: No, thank you, Your Honor.

11 THE COURT: Mr. Smith, I'll be glad to hear anything
12 you would like to say or anybody you want to speak on behalf
13 of Mr. Wright.

14 MR. SMITH: Thank you, Judge. Mr. Wright has been in
15 jail since this occurred. We initially attempted a bond
16 hearing, and at that time it was shortly after the gunshot
17 that he self-inflicted. We had him evaluated.

18 I have never had any problems communicating with him.
19 I want to make that clear to the court. But the doctor that
20 saw him, Dr. Mulberry, indicated that he did suffer from
21 depression. He has continued to get treatment for that
22 while he has been incarcerated.

23 He went to St. Andrews High School, but he left in the
24 11th grade. He had had kind of a series of work down
25 through the years. He worked Carolina Shelving and Mirror.

1 He worked there for a pretty good period of time. He worked
2 for a portable toilet company. He worked for Dunkin Donuts.
3 And he even worked for a period of time when they were
4 building the new Ravenel Bridge with RI Bridge Company that
5 he was involved with that.

6 His mother has been here as well as he sister
7 throughout the week to show their support for him.
8 Obviously I would ask the court not to take into
9 consideration any of the incident reports that didn't result
10 in a conviction. We are not prepared to cross-examine those
11 witnesses or to find out more about ---

12 THE COURT: We are not at trial, Mr. Smith; we are at
13 sentencing.

14 MR. SMITH: I understand.

15 THE COURT: And it is appropriate information for the
16 court to be aware of for sentencing, okay. So don't talk
17 about admissibility. I agree with you it would not be
18 admissible at trial, okay.

19 MR. SMITH: I understand that, Your Honor.

20 THE COURT: And his conduct in the past is very
21 relevant on sentencing.

22 MR. SMITH: It is, Your Honor.

23 THE COURT: And I'm going to consider it.

24 MR. SMITH: I understand.

25 THE COURT: Okay.

1 MR. SMITH: I understand your ruling as far as that
2 goes.

3 THE COURT: So don't sit there and tell me I can't
4 consider it.

5 MR. SMITH: No, I'm not saying that you can't. I am
6 just asking you to temper your consideration ---

7 THE COURT: I will be glad to place it under where it
8 is. You know, it was no conviction; but that happens so
9 frequently in domestic violence cases where the victim
10 refuses to prosecute and the prosecutor doesn't have any
11 independent evidence of it. It is right rampant throughout
12 the history of South Carolina and other states. And you
13 know that, and the solicitor knows that.

14 MR. SMITH: Yes, sir.

15 THE COURT: Okay.

16 MR. SMITH: No question about that. Your Honor, the --
17 I would say that his -- as I said, his mother has been here
18 and his sister has been here. One of his aunts, a number of
19 other family members throughout the week. They are a strong
20 support system for him and will continue to support him.

21 I do think Mr. Wright would like to briefly address the
22 court.

23 THE COURT: I would be glad to hear from his mother,
24 his sisters or whoever you would like for me to hear from,
25 okay, if they want to speak. And I would be glad to hear

1 from Mr. Wright at the appropriate time.

2 Yes, ma'am, your name?

3 MS. WRIGHT: Ethel Wright.

4 THE COURT: Are you his mother?

5 MS. WRIGHT: Yes, sir.

6 THE COURT: Yes, ma'am, Ms. Wright.

7 MS. WRIGHT: All I want to say, he is a very good son.

8 He takes care of his children. He worked hard. But, you
9 know, I don't know what happened in the situation, you know,
10 concerning this. And like all I want to say, he is a good,
11 good daddy. He will do anything for anybody.

12 And all this stuff that they've got about him of what
13 is going on, this is false information. I know him. That
14 is my son. I know all about him. I raised him. I know all
15 about him. I raised him.

16 And I want to say to the Ford's I am very, very sorry.
17 Y'all lost your loved one. I am truly sorry. Because I
18 take a big effect of this too myself on both sides. Not
19 only on my son's side but on y'all's side too.

20 I have been grieving. I have been crying, day and
21 night because I have been trying to figure out what
22 happened, what is going round. I am very, very sorry. I'm
23 sorry. I'm so sorry that y'all lost y'all's loved one.
24 Because I've been hurting by this. Not only about my son
25 but y'all too. I have been crying day and night. Nobody

1 knows my pain but me, Lord. But I am very, very sorry. I
2 am sorry. Thank you.

3 THE COURT: Unfortunately this situation is hard on
4 both families.

5 MS. WRIGHT: Yes, sir, ---

6 THE COURT: Both families suffered ---

7 MS. WRIGHT: --- it was hard on me because I take effect
8 on both sides. I cried both ways. I cried for my son.
9 This side. And I mean I cried day and night every day.

10 THE COURT: Okay. Thank you so very much.

11 MS. WRIGHT: Thank you, Judge.

12 THE COURT: Anybody else?

13 MR. SMITH: I think Mr. Wright would like to.

14 THE COURT: Okay. Mr. Wright, I would be glad to hear
15 you.

16 MR. WRIGHT: Your Honor, if I may I would just like to
17 turn and apologize to the Ford family.

18 MS. SHEALY: I would ask that he not direct ---

19 THE COURT: I'm sorry, what?

20 MS. SHEALY: I would ask that he not physically direct
21 his comments towards them.

22 THE COURT: What do you want to say to the Ford family?

23 MR. WRIGHT: I just want to say I am truly sorry for
24 their loss.

25 THE COURT: Okay. What do you want to tell me about

1 sentencing?

2 MR. WRIGHT: Your Honor, I know it was a tragic
3 accident. I mean I'm sorry for it. There's nothing I can
4 do about it now. But it wasn't intended for Melinda to get
5 harmed or killed. I had no intentions at all in doing that.

6 I've never laid my hands on her, not -- never got
7 physical with her. It was an accident that happened. I am
8 truly sorry for it. There's nothing more I can do about
9 that.

10 THE COURT: Anything else?

11 MR. WRIGHT: No, sir.

12 THE COURT: Okay. Thank you very much.

13 Mr. Smith, anything else?

14 MR. SMITH: No, Your Honor.

15 THE COURT: All right, Mr. Wright, Number Indictment
16 Number 3170 as to the murder charge, sentenced to the State
17 Department of Corrections for a period of life. That is
18 concurrent with the firearm charge.

19 The firearm charge, 3172, sentenced to the State
20 Department of Corrections for a period of five years. That
21 is concurrent. Thank you very much.

22 Thank y'all very much.

23 MS. SHEALY: Thank you, Your Honor.

24 THE COURT: Both of you did a good job in the trial,
25 and I enjoyed working with you.

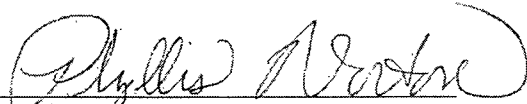
1 MR. SMITH: Thank you, Your Honor.
2 (WHEREUPON, the trial concluded 11:41 a.m., February 5,
3 2015.)

(NOTE: A transcript which has been certified by the court reporter will bear an original signature on the below certification sheet. Please contact the court reporter for additional certified transcripts.)

CERTIFICATE

I, the undersigned Phyllis Norton, Official Court Reporter for the Ninth Judicial Circuit of the State of South Carolina, do hereby certify that the foregoing is a true, accurate, and complete transcript of record of all the proceedings had and evidence introduced in the captioned case, relative to appeal, in the Court for Charleston County, South Carolina, on February 2-5, 2015.

I do further certify that I am neither of kin, counsel, nor interest to any party hereto.



PHYLLIS NORTON, CVR

(Signature in blue ink.)

Date: April 29, 2015

Certified Transcript Provided For: SCC1D
Certification Reference # 042915 ORIG

STATE OF SOUTH CAROLINA

COUNTY OF Charleston
STATE VS.Timothy James Wright

AKA:

Race: BLACK Sex: M Age: 36DOB: SS#:

Address:

City, State, Zip: N Charleston, SC 29418-5673DL#: SID#: SC01112783*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Murder

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS1003170A/W#: 2013A1010200882Date of Offense: 2/16/2013S.C. Code §: 16-03-0010, 0020CDR Code #: 0116

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADSin violation of § 16-03-0010, 0020 of the S.C. Code of Laws, bearing CDR Code # 0116☐ NON-VIOLENT ☒ VIOLENT ☐ SERIOUS ☒ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST:

Kneese Shealy, JenniferSC Bar# 7919

Defendant

Attorney for Defendant

SC Bar#

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center, for a determinate term of Life days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code §17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms:

☐ Set by SCDPPPS

Recipient:

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ <u>100.00</u>
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ <u>25.00</u>
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(I) (Vehicle Assessment)	\$40/en	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ <u>5.00</u>
3% to County (if paid in installments)		\$ <u>3.90</u>
TOTAL		\$ <u>133.90</u>

Clerk of Court/ Deputy Clerk

Court Reporter: Phyllis Norton

SCCA/217 (03/2011)

PTUP

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Presiding Judge

Judge Code

Sentence Date: 2/5/15

STATE OF SOUTH CAROLINA

COUNTY OF Charleston
STATE VS.Timothy James Wright

AKA: _____

Race: BLACK Sex: M Age: 36

DOB: _____ SS#: _____

Address: _____

City, State, Zip: N Charleston, SC 29418-5673DL#: _____ SID#: SC01112783*CDL Yes ☐ No ☐ CMV Yes ☐ No ☐ Hazmat Yes ☐ No ☐

In disposition of the said indictment comes now the Defendant who was

TO: Possession of a Firearm or Knife During Commission of a Violent Crime

IN THE COURT OF GENERAL SESSIONS

INDICTMENT/CASE#: 2013GS1003172A/W#: 2013A1010200883Date of Offense: 2/16/2013S.C. Code § : 16-23-0490CDR Code #: 0549

SENTENCE SHEET

☒ CONVICTED OF or ☐ PLEADSin violation of § 16-23-0490 of the S.C. Code of Laws, bearing CDR Code # 0549☐ NON-VIOLENT ☐ VIOLENT ☐ SERIOUS ☐ MOST SERIOUS ☐ Mandatory GPS(CSC w/minor 1st or Lewd Act) ☐ §17-25-45The charge is: ☒ As Indicted, ☐ Lesser Included Offense, ☐ Defendant Waives Presentment to Grand Jury. (defendant's initials)The plea is: ☐ Without Negotiations or Recommendation, ☐ Negotiated Sentence, ☐ Recommendation by the State.

ATTEST: _____

Kneece Shady-Tennifer

SC Bar# _____

Defendant

Attorney for Defendant

SC Bar# _____

WHEREFORE, the Defendant is committed to the ☒ State Department of Corrections, ☐ County Detention Center,for a determinate term of 5 days/months/years or ☐ under the Youthful Offender Act not to exceed _____ years

and/or to pay a fine of \$ _____; provided that upon the service of _____ days/months/years and/or payment

of \$ _____; plus costs and assessments as applicable*; the balance is suspended with probation for _____

months/years and subject to South Carolina Department of Probation, Parole and Pardon Services standard conditions of probation, which are incorporated by reference.

☒ CONCURRENT or ☐ CONSECUTIVE to sentence on:☐ The Defendant is to be given credit for time served pursuant to S.C. Code § 24-13-40 to be calculated and applied by the State Department of Corrections.☐ The Defendant is to be placed on the Central Registry of Child Abuse and Neglect pursuant to S.C. Code § 17-25-135.

Pursuant to 18 U.S.C Section 922, it is unlawful for a person convicted of a violation of Section 16-25-20 or 16-25-65 (Criminal Domestic Violence) to ship, transport, possess, or receive a firearm or ammunition.

SPECIAL CONDITIONS:

☐ RESTITUTION: ☐ Deferred ☐ Def. Waives Hearing ☐ Ordered PTUP

Total: \$ _____ plus 20% fee: \$ _____

Payment Terms: _____

☐ Set by SCDPPPS _____

Recipient: _____

*Fine:

§ 14-1-206 (Assessments 107.5 %)	\$	\$
§ 14-1-211(A)(1) (Conv. Surcharge)	\$100	\$ 100.00
§ 14-1-211(A)(2) (DUI Surcharge)	\$100	\$
§ 56-5-2995 (DUI Assessment)	\$12	\$
§ 56-1-286 (DUI Breath Test)	\$25	\$
Proviso 47.9 (Public Def/Prob)	\$500	\$
§ 14-1-212 (Law Enforce. Funding)	\$25	\$ 25.00
§ 14-1-213 (Drug Court Surcharge)	\$150	\$
§ 50-21-114(BUI Breath Test Fee)	\$50	\$
§ 56-5-2942(J) (Vehicle Assessment)	\$40/ca	\$
Proviso 90.5 (SCCJA Surcharge)	\$5	\$ 5.00
3% to County (if paid in installments)		\$ 3.90
TOTAL		\$ 133.90

_____ days/hours Public Service Employment

Obtain GED ☐

Attend Voc. Rehab. or Job Corp. _____

May serve W/E beginning _____

Substance Abuse Counseling ☐Random Drug/Alcohol testing ☐

Fine may be pd. in equal, consecutive weekly/monthly pmts. of \$ _____ beginning _____

\$ _____ paid to Public Defender Fund

Other: _____

☐ Appointed PD or appointed other counsel, § 47.12 requires \$500 be paid to Clerk during probation.

Clerk of Court/ Deputy Clerk

Court Reporter: Phyllis Norton

SCCA/217 (03/2011)

Presiding Judge

Judge Code: _____

Sentence Date: 2/5/13

WITNESSES

Charleston County Sheriff

AGENCY CASE NUMBER

2013002755B

ARREST WARRANT NUMBER

2013A1010200882

DATE OF ARREST

February 22, 2013

ACTION OF GRAND JURY

Donna B. Allen

Foreperson of Grand Jury

Date:

VERDICT

*Guilty**Debra B. Allen*

Foreperson of Petit Jury

Date:

2/4/15

INDICT

DOCKET NO. 2013GS1003170

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

June Term 2013

THE STATE

vs.

TIMOTHY JAMES WRIGHT

DOB: 0

B/M

Indictment for

Murder

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

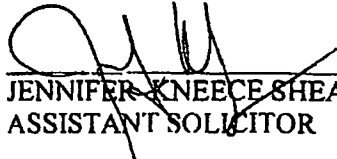
INDICTMENT

At a Court of General Sessions, convened on June 3, 2013 the Grand Jurors of Charleston County present upon their oath:

Murder

That in Charleston County on or about February 16, 2013, with malice aforethought, TIMOTHY JAMES WRIGHT did kill and murder Melinda Ford by means of shooting the victim with a shotgun, and that Melinda Ford did die in Charleston County as a proximate result thereof on February 16, 2013; in violation of Section 16-3-10 of the South Carolina Code of Laws (1976) as amended.

Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


JENNIFER KNEECE SHEALY
ASSISTANT SOLICITOR

JKS20130201419

WITNESSES

Charleston County Sheriff

AGENCY CASE NUMBER

2013002755B

ARREST WARRANT NUMBER

2013A1010200883

DATE OF ARREST

February 22, 2013

ACTION OF GRAND JURY

Foreperson of Grand Jury

Date:

JUN 3 2013

VERDICT

Guilty

Foreperson of Petit Jury

Date:

2/4/15

INDICT

DOCKET NO. 2013GS1003172

The State of South Carolina

County of Charleston

COURT OF GENERAL SESSIONS

June Term 2013

THE STATE

vs.

TIMOTHY JAMES WRIGHT

DOB

B/M

Indictment for

Possession Of A Firearm During The
Commission Of A Violent Crime

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

INDICTMENT

At a Court of General Sessions, convened on June 3, 2013 the Grand Jurors of Charleston County present upon their oath:

Possession Of A Firearm During The Commission Of A Violent Crime

That in Charleston County, South Carolina, on or about February 16, 2013, the Defendant, TIMOTHY JAMES WRIGHT, did possess a shotgun during the commission, or attempted commission, of Murder, a violent crime. This is in violation of 16-23-490 of the South Carolina Code of Laws, (1976) as amended.

RECEIVED
JUN 10 2013
CLERK OF COURT

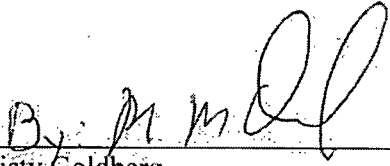
Against the peace and dignity of the State, and contrary to the statute in such case made and provided.


JENNIFER KNEECE SHEALY
ASSISTANT SOLICITOR

CERTIFICATE OF COUNSEL FOR APPELLANT

Counsel for appellant certifies that this Record on Appeal contains all material proposed to be included by any of the parties and not any other material and that this Record on Appeal complies to the best of my ability with the April 15, 2014 order from the South Carolina Supreme Court entitled "Revised Order Concerning Personal Identifying Information and Other Sensitive Information in Appellate Court Filings."

June 20, 2016



Kristy Goldberg
Attorney for Appellant

Law Office of Kristy Goldberg
1720 Main Street, Suite 303
Columbia, South Carolina 29021
Phone (803) 667-6633
kristy@kristygoldberglaw.com

ATTORNEY FOR APPELLANT

RECEIVED

JUL 12 2016

SC Court of Appeals